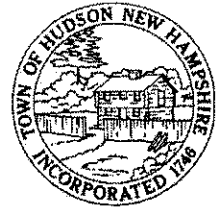




# TOWN OF HUDSON

## Zoning Board of Adjustment



Gary M. Daddario, Chairman

Marilyn E. McGrath, Selectmen Liaison

12 School Street • Hudson, New Hampshire 03051 • Tel: 603-886-6008 • Fax: 603-594-1142

### MEETING AGENDA – March 25, 2021

#### COVID-19 Meeting Procedure

In response to the NH State of Emergency Order #12 Pursuant to Executive Order 2020-04 regarding COVID-19, The Hudson Zoning Board of Adjustment will hold a public meeting & hearing electronically by remote video & conference call and physically at the **Hudson Community Center, 12 Lions Ave, on Thursday, March 25, 2021, at 7:00 PM.** Written comments can be sent in advance either by: 1) Email to [bbuttrick@hudsonnh.gov](mailto:bbuttrick@hudsonnh.gov) prior to 4:30 pm, March 25, 2021; or 2) Mail by March 22, 2021 to ZBA, c/o Bruce Buttrick, Hudson Town Hall, 12 School St., Hudson, NH 03051. For the public to participate and comment, please follow the instructions on the town website: <https://www.hudsonnh.gov/bc-zba/page/public-hearing-process> or call (603) 886-6008 prior to 4:00 PM of the meeting date. Applications on the agenda may be viewed online at: <https://www.hudsonnh.gov/bc-zba> (click: View Agendas, Minutes, Packets & Videos). The meeting will be streamed live on Hudson Community Television, Cable Channel 22 or 20.

The following items before the Board will be considered:

**I. CALL TO ORDER**

**II. PUBLIC HEARING OF SCHEDULED APPLICATIONS BEFORE THE BOARD:**

1. **Case 198-079 (03-25-21):** Shawn Lussier, **18 Lorraine Street, Hudson, NH** requests a Variance to replace 2 existing sheds with one new 16' x 20' shed in a proposed location which encroaches 10 feet into the rear setback leaving 5 feet where 15 feet is required. [Map 198, Lot 079-000; Zoned Town Residence (TR); HZO Article VII, Dimensional Requirements, §334-27, Table of Minimum Dimensional Requirements].
2. **Case 191-099 (03-25-21):** Karen Bastarache, **52 Belknap Rd, Hudson, NH** requests a Variance for the addition of a second story with no footprint increase to an existing non-conforming structure (house and garage). [Map 191, Lot 099-000; Zoned Residential-Two (R-2); HZO Article VIII, Nonconforming Uses, Structures and Lots, §334-31 A, Alteration and expansion of nonconforming structures].
3. **Case 197-174 (03-25-21):** Richard L. Garland, **3 Spruce St., Hudson, NH** [Map 197, Lot 174-000; Zoned Town Residence (TR)] requests the following:
  - a. An Equitable Waiver of Dimensional Requirement per RSA 674:33-a: to allow an existing 15' x 7' shed to remain in its current location which encroaches into the side and rear yard setbacks 9' and 3' respectively, where 15 feet is required as shown on the Proposed Plot Plan dated July 16, 2020. [HZO Article VII, Dimensional Requirements, §334-27, Table of Minimum Dimensional Requirements].
  - b. A Variance to allow the construction of a 420 sqft. Accessory Dwelling Unit to encroach 4 feet into the front yard setback leaving 26 feet where 30 feet is required. [HZO Article VII, Dimensional Requirements, §334-27, Table of Minimum Dimensional Requirements].
4. **Case 129-094 (03-25-21):** Roger A. Chopelas, **11 St Laurent Dr., Hudson, NH** requests a Variance to construct an 874 sqft. Accessory Dwelling Unit where 750 sqft. maximum is allowed. [Map 129, Lot 094-000; Zoned Residential-Two (R-2); HZO Article XIII A, Accessory Dwelling Units, §334-73.3 H, Provisions].

**III. REQUEST FOR REHEARING: None**

**IV. REVIEW OF MINUTES:**

02/25/21 edited Minutes

**V. OTHER:**

1. Home Occupation Special Exception Application- Discussion for proposed draft amendment on retail sales.

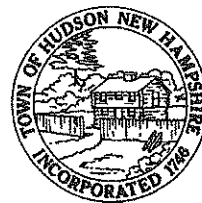
Bruce Buttrick  
Zoning Administrator



# TOWN OF HUDSON

## Land Use Division

12 School Street • Hudson, New Hampshire 03051 • Tel: 603-886-6008 • Fax: 603-594-1142



### Zoning Administrator Staff Report

Meeting Date: March 25, 2021 *38 3-16-21*

**Case 198-079 (03-25-21):** Shawn Lussier, 18 Lorraine Street, Hudson, NH requests a Variance to replace 2 existing sheds with one new 16' x 20' shed in a proposed location which encroaches 10 feet into the rear setback leaving 5 feet where 15 feet is required. [Map 198, Lot 079-000; Zoned Town Residence (TR); HZO Article VII, Dimensional Requirements, §334-27, Table of Minimum Dimensional Requirements].

**Address:** 18 Lorraine St

**Zoning district:** Town Residence (TR)

#### Summary:

Applicant requests a Variance to erect a 16 ft. x 20 ft. shed (where 2 existing non-conforming sheds are) which would encroach 10 ft, leaving 5 ft setback, where 15 ft is required.

#### Property description:

Developed conforming lot of record (oversized), with 110 ft frontage where 90 ft required and 19,994 sq ft where 10,000 sq ft required. Single family (residential use).

#### HISTORY:

No B.P. permits on record, but due to size: <200sqft does not need a B.P., but would still need to satisfy Z.O.

No Code Enforcement on existing non-conforming sheds.

#### Attachments:

“A” Assessing record.

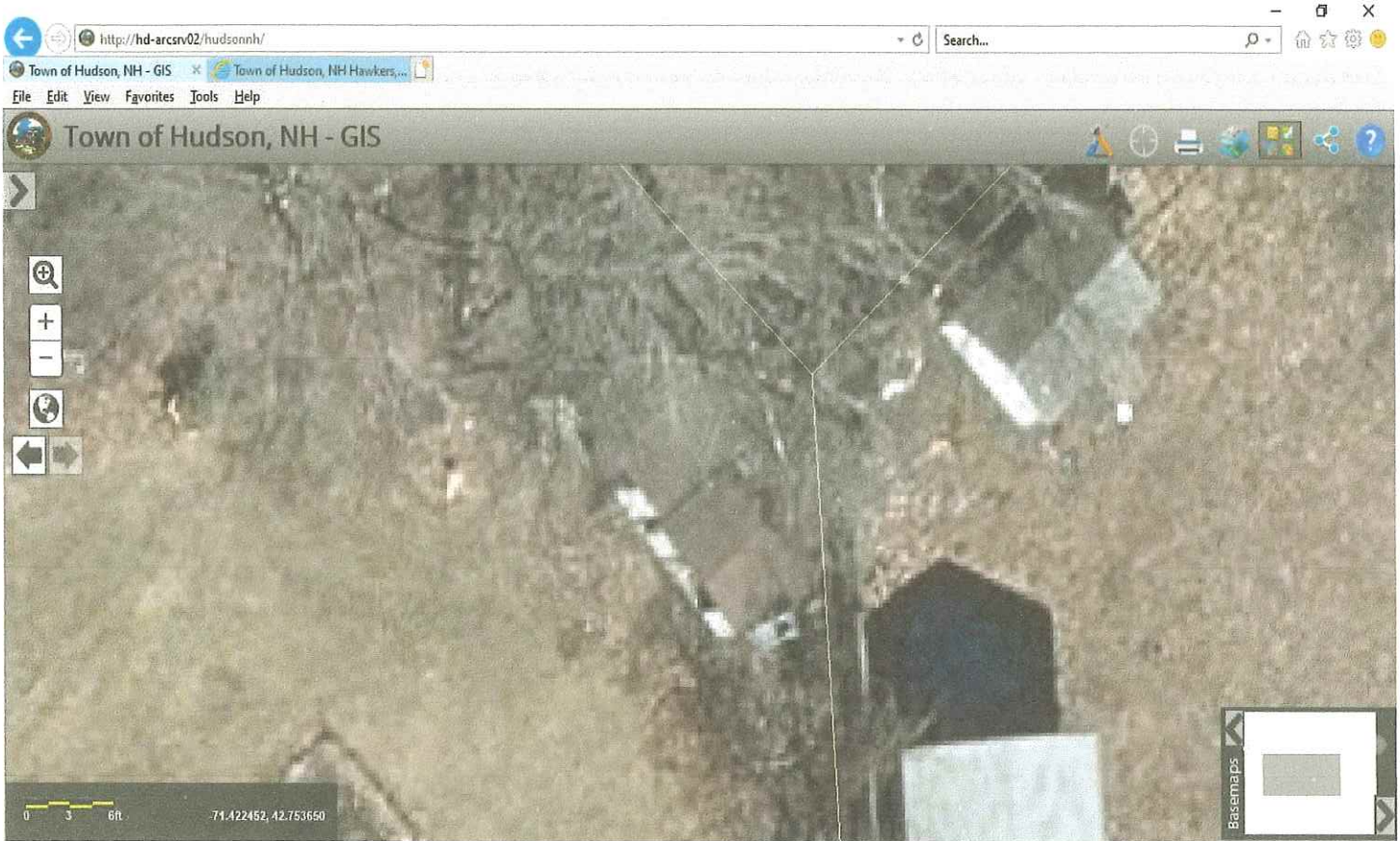
“B” 2020 Aerial

Previous Assessments

Year	Code	Building	Yard Items	Land Value	Acres	Special Land	Total
2020	101 - ONE FAMILY	144,400	0	92,100	0.46	0.00	236,500
2020	101 - ONE FAMILY	144,400	0	92,100	0.46	0.00	236,500
2019	101 - ONE FAMILY	144,400	0	92,100	0.46	0.00	236,500
2019	101 - ONE FAMILY	144,400	0	92,100	0.46	0.00	236,500
2018	101 - ONE FAMILY	144,400	0	92,100	0.46	0.00	236,500
2018	101 - ONE FAMILY	144,400	0	92,100	0.46	0.00	236,500
2017	101 - ONE FAMILY	144,400	0	92,100	0.46	0.00	236,500
2017	101 - ONE FAMILY	128,400	0	88,000	0.46	0.00	216,400
2017	101 - ONE FAMILY	144,400	0	92,100	0.46	0.00	236,500
2016	101 - ONE FAMILY	128,400	0	88,000	0.46	0.00	216,400
2016	101 - ONE FAMILY	128,400	0	88,000	0.46	0.00	216,400
2015	101 - ONE FAMILY	128,400	0	88,000	0.46	0.00	216,400
2015	101 - ONE FAMILY	128,400	0	88,000	0.46	0.00	216,400
2014	101 - ONE FAMILY	128,400	0	88,000	0.46	0.00	216,400
2014	101 - ONE FAMILY	128,400	0	88,000	0.46	0.00	216,400
2013	101 - ONE FAMILY	128,400	0	88,000	0.46	0.00	216,400
2013	101 - ONE FAMILY	128,400	0	88,000	0.46	0.00	216,400
2012	101 - ONE FAMILY	128,400	0	88,000	0.46	0.00	216,400
2012	101 - ONE FAMILY	136,600	0	117,300	0.46	0.00	253,900
2011	101 - ONE FAMILY	116,200	0	117,300	0.46	0.00	233,500
2011	101 - ONE FAMILY	116,200	0	117,300	0.46	0.00	233,500
2010	101 - ONE FAMILY	116,200	0	117,300	0.46	0.00	233,500
2010	101 - ONE FAMILY	116,200	0	117,300	0.46	0.00	233,500
2009	101 - ONE FAMILY	116,200	0	117,300	0.46	0.00	233,500
2008	101 - ONE FAMILY	116,200	0	117,300	0.46	0.00	233,500
2008	101 - ONE FAMILY	116,200	0	117,300	0.46	0.00	233,500
2007	101 - ONE FAMILY	116,200	0	117,300	0.46	0.00	233,500
2007	101 - ONE FAMILY	123,300	0	88,000	0.46	0.00	211,300
2006	101 - ONE FAMILY	123,300	0	88,000	0.46	0.00	211,300
2006	101 - ONE FAMILY	123,300	0	88,300	0.47	0.00	211,600
2005	101 - ONE FAMILY	123,300	0	88,300	0.47	0.00	211,600
2005	101 - ONE FAMILY	123,300	0	88,300	0.47	0.00	211,600
2004	101 - ONE FAMILY	123,300	0	88,300	0.47	0.00	211,600
2004	101 - ONE FAMILY	96,700	0	67,300	0.47	0.00	164,000
2003	101 - ONE FAMILY	96,700	0	67,300	0.47	0.00	164,000
2003	101 - ONE FAMILY	96,700	0	67,300	0.47	0.00	164,000
2002	101 - ONE FAMILY	96,700	0	67,300	0.47	0.00	164,000
2002	101 - ONE FAMILY	96,700	0	67,300	0.47	0.00	164,000
2001	101 - ONE FAMILY	70,300	0	44,500		0.00	114,800
2000	101 - ONE FAMILY	68,800	1,500	44,500	0.47	0.00	114,800

A

2020 Aerial (showing the two existing sheds:



"B"



TOWN OF HUDSON  
MAR 05 2021

APPLICATION FOR A VARIANCE

Zoning Department

To: Zoning Board of Adjustment  
Town of Hudson

Entries in this box are to be filled out by  
Land Use Division personnel

Case No. 198-079 (03-25-21)

Date Filed 3/5/21

Name of Applicant Shawn Lussier Map: 198 Lot: 079 Zoning District: TR

Telephone Number (Home) 603-305-1857 (Work) \_\_\_\_\_

Mailing Address 18 LORRAINE ST. HUDSON NH 03051

Owner Shawn Lussier / Secret Lussier

Location of Property 18 LORRAINE ST HUDSON NH 03051  
(Street Address)

[Signature] \_\_\_\_\_ Date 3/1/21  
Signature of Applicant

[Signature] \_\_\_\_\_ Date 3/1/21  
Signature of Property-Owner(s)

**NOTE:** Fill in all portions of the Application Form(s) as appropriate. This application is not acceptable unless all required statements have been made. Additional information may be supplied on a separate sheet if space provided is inadequate. If you are not the property owner, you must provide written documentation signed by the property owner(s) to confirm that the property owner(s) are allowing you to speak on his/her/their behalf or that you have permission to seek the described variance.

Items in this box are to be filled out by Land Use Division personnel

<b>COST:</b>			Date received: <u>3/5/21</u>
Application fee:		\$130.00	
<u>8</u> Direct Abutters x \$4. <del>10</del> <sup>15</sup> =		<u>33.20</u>	
<u>12</u> Indirect Abutters x \$0.55 =		<u>6.60</u>	
<b>Total amount due:</b>		<u>\$169.80</u>	Amt. received: \$ <u>169.80</u>
			Receipt No.: <u>632,327</u>
Received by: _____	<u>(TSG)</u>		
By determination of the Zoning Administrator or Building Inspector, the following Departmental review is required:			
_____ Engineering	_____ Fire Department	_____ Health Officer	_____ Planner

# TOWN OF HUDSON, NH NOTICE TO APPLICANTS

The following **requirements/checklist** pertain to the Town of Hudson, NH, Zoning Board of Adjustment applications, as applicable:

Applicant Initials		Staff Initials
<u>SL</u>	The applicant must provide 13 copies including the original of the filled-out application form, together with this checklist and any required attachments listed. (Paper clips, no staples)	<u>TG</u>
<u>SL</u>	Before making the 13 copies, please review the application with the Zoning Administrator or staff.	<u>TG</u>
<u>SL</u>	A separate application shall be submitted for each request, with a separate application fee for each request i.e.: Variance, Special Exception, Home Occupation Special Exception, Wetland Special Exception, Appeal from an Administrative Decision, and Equitable Waiver but only one abutter notification fee will be charged for multiple requests. If paying by check, make the check payable to the Town of Hudson.	<u>TG</u>
<u>SL</u>	If the applicant is not the property owner(s), the applicant must provide to the Town written authorization, signed and dated by the property owner(s), to allow the applicant or any representative to apply on the behalf of the property owner(s). (NOTE: if such an authorization is required, the Land Use Division will not process the application until this document has been supplied.)	<u>N/A</u>
<u>SL</u>	Provide two (2) sets of mailing labels from the abutter notification lists (Pages 4 & 5) prepared by applicant, with the proper mailing addresses, must be dated within (30) thirty days of submittal of the application. The abutter lists can be obtained from the assessor's office. (NOTE: the Land Use Division cannot process your application without the abutter lists. It is the applicant's responsibility to ensure that the abutter lists are complete and correct. If at the time of the hearing any applicable property owner is found not to have been notified because the lists are incomplete or incorrect, the Zoning Board will defer the hearing to a later date, following notification of such abutters.)	<u>TG</u>
<u>SL</u>	A copy of both sides of the assessor's card shall be provided. (NOTE: these copies are available from the Assessor's Office)	<u>TG</u>
<u>SL</u>	A copy of the Zoning Administrator's correspondence confirming either that the requested use is not permitted or that action by the Zoning Board of Adjustment is required must be attached to your application.	<u>TG</u>
<u>SL</u>	For a Wetland Special Exception, a letter or a copy of the relevant decision from the Hudson Conservation Commission shall be attached to the application for existing single-family and duplex residential uses. All other Wetland Special Exceptions (multifamily, commercial, or industrial uses) must have letters both from the Conservation Commission and from the Planning Board.	<u>N/A</u>

**PLOT PLAN-**

SC

Except for requests pertaining to above-ground pools (sheds), decks and use variances, the application must include a copy of a certified plot plan from a licensed land surveyor. The required plot plan shall include all of the items listed below. Pictures and construction plans will also be helpful. (NOTE: it is the responsibility of the applicant to make sure that all of the requirements are satisfied. The application may be deferred if all items are not satisfactorily submitted):

N/A (TB)

- a) N/A The plot plan shall be drawn to scale on an 8 1/2" x 11" or 11" x 17" sheet with a North pointing arrow shown on the plan.
- b) N/A The plot plan shall be up-to date and dated, and shall be no more than three years old.
- c) N/A The plot plan shall have the signature and the name of the preparer, with his/her/their seal.
- d) SC The plot plan shall include lot dimensions and bearings, with any bounding streets and with any rights-of-way and their widths as a minimum, and shall be accompanied by a copy of the GIS map of the property. (NOTE: copies of the GIS map can be obtained at the Land Use Division.)
- e) N/A The plot plan shall include the location and dimensions of existing or required services, the area (total square footage), all buffer zones, natural features, any landscaped areas, any recreation areas, any safety zones, all signs, streams or other wetland bodies, and any drainage easements.
- f) N/A The plot plan shall include all existing buildings or other structures, together with their dimensions and the distances from the lot lines, as well as any encroachments.
- g) N/A The plot plan shall include all proposed buildings, structures, or additions, marked as "PROPOSED," together with all applicable dimensions and encroachments.
- h) N/A The plot plan shall show the building envelope as defined from all the setbacks required by the zoning ordinance.
- i) N/A The plot plan shall indicate all parking spaces and lanes, with dimensions.

Vertical line with horizontal tick marks and a downward arrow at the bottom.

**The applicant has signed and dated this form to show his/her awareness of these requirements.**

[Signature]  
Signature of Applicant(s)

3/1/2021  
Date

The Land Use Division will schedule a public hearing at the next available meeting of the Hudson Zoning Board of Adjustment for your properly-completed application. Applications are scheduled on a first-come, first-served basis. Public notice of the hearing will be posted on public bulletin boards in the Town Hall, the Post Office, and the Rogers Library and also printed in a newspaper, and a notice will be mailed to the applicant, all abutters, and any other parties whom the Board may deem to have an interest.

After the public hearing, the Board will deliberate and then reach a decision either to grant the request (perhaps with stipulations to make it palatable) or to deny the request—or to defer final action to another meeting, or perhaps to accept a request for withdrawal. You will be sent a Notice of Decision during the following week.

If you believe that the Board's decision is wrong, you have the right to appeal. In addition, any third party/parties affected by the decision also has/have the right to appeal the decision of your case. To appeal, you must first ask the Board for a rehearing; this motion for rehearing may be in the form of a letter to the Board. The rehearing request must be made in writing within thirty (30) days following the Board's decision, and must set forth the grounds on which it is claimed the decision is unlawful or unreasonable.

The Board may grant such a rehearing if, in the Board's opinion, good reason is stated in the motion. In general, the Board will not allow a rehearing unless a majority of its sitting members conclude either that the protested decision was illegal or unreasonable or that the request for rehearing demonstrates the availability of new evidence that was not available at the original hearing. The Board will not reopen a case based on the same set of facts unless it is convinced that an injustice would be created by not doing so. Whether or not a rehearing is held, you must have requested one before you can appeal the decision to the Court(s). When a rehearing is held, the same procedure is followed as for the first hearing, including public notice and notice to abutters.

Please refer to NH RSA Chapter 677 for more detail on rehearing and appeal procedures.

**ALL DIRECT ABUTTERS**

List name(s) and mailing addresses of the owner(s) of record of the property and all direct abutters as of the time of the last assessment of taxation made by the Town of Hudson, including persons whose property is either contiguous or separated from the subject tract of land by a street or stream. If at the time of your hearing any applicable property owner is found not to have been notified because your lists are incorrect or incomplete, the Zoning Board will defer your hearing to a later date, following notification of such abutters. (Use additional copies of this page if necessary)

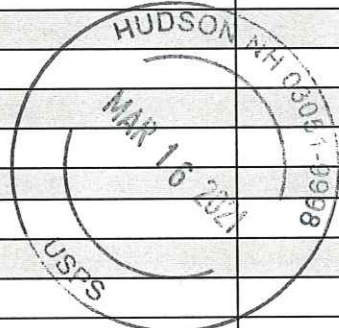
MAP	LOT	NAME OF PROPERTY OWNER	MAILING ADDRESS
198	063	St. Hilaire, Ruth	15 Tessier ST Hudson NH 03051
198	078	LANE, THOMAS LANE, DEBORAH	16 Lorraine ST Hudson NH 03051
198	080	Brunelle, Michael Brunelle, Karen	2 WAYNE ST Hudson NH 03051
198	081	Cronin, Timothy Cronin, Katie	4 WAYNE ST Hudson NH 03051
198	106	MOLinari, James	17 Lorraine ST Hudson NH 03051
198	107	SULLIVAN Justin SULLIVAN Kristen	15 Lorraine ST Hudson NH 03051
198	108	MOORE, Justin	7 RHONA ST Hudson NH 03051
198	079	Lussier Shawn Lussier Secret	18 Lorraine ST Hudson NH 03051

**ALL INDIRECT ABUTTERS WITHIN 200 FEET**

List name(s) and mailing addresses of all indirect abutters (those whose property is not contiguous but is within 200 feet from the property in question) as of the time of the last assessment of taxation made by the Town of Hudson. If at the time of your hearing any applicable property owner is found not to have been notified because your lists are incorrect or incomplete, the Zoning Board will defer your hearing to a later date, following notification of such abutters. (Use additional copies of this page if necessary)

MAP	LOT	NAME OF PROPERTY OWNER	MAILING ADDRESS
198	062	Barrett THOMAS TR Barrett MARGARET TR Barrett REVOCABLE TRUST	17 TESSIER ST HUDSON NH 03051
198	064	EPPOLITO JANET	13 TESSIER ST HUDSON NH 03051
198	077	MASSOULYAN, RAFFI	14 LORRAINE ST HUDSON NH 03051
198	082	MULLIN LAWRENCE MULLIN MADELINE	6 WAYNE ST HUDSON NH 03051
198	083	LAROCK RICHARD LAROCK LOUISE	8 WAYNE ST HUDSON NH 03051
198	102	CIERI MARE CIERI MARIQ	5 WAYNE ST HUDSON NH 03051
198	103	BOWEN KEITH	16 FARE ST HUDSON NH 03051
198	104	NEISON DEBRA	1 WAYNE ST HUDSON NH 03051
198	105	FLOPCZAK ADAM FLOPCZAK MARY FLOPCZAK 2014 FAMILY TRUST	19 LORRAINE ST HUDSON NH 03051
198	109	PELLETIER SUZANNE TR PELLETIER MAURICE TR PELLETIER LIVING TRUST	4509 PARK TEN COURT LEAVENWORTH KS 66048
198	116	LADUKE, AMY	6 R HONA ST HUDSON NH 03051
198	117	<del>BOVIN Jeffrey</del> BOVIN Jeffrey	11 LORRAINE ST HUDSON NH 03051
<del>198</del>			

SENDER:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - CERTIFIED MAIL	Case# 198-079 18 Lorraine Street Map 198/Lot 079-000	VARIANCE 1 of 1
	ARTICLE NUMBER	Name of Addressee, Street, and post office address	03/25/2021 ZBA Meeting	
1	7018 1130 0001 8114 2860	LUSSIER, SHAWN M.; LUSSIER, SECRET M. 18 LORRAINE ST., HUDSON, NH 03051	APPLICANT NOTICE MAILED	
2	7018 1130 0001 8114 2877	ST. HILAIRE, RUTH M. 15 TESSIER STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED	
3	7018 1130 0001 8114 2884	LANE, THOMAS R.; LANE, DEBORA L. 16 LORRAINE STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED	
4	7018 1130 0001 8114 2891	BRUNELLE, MICHAEL J.; BRUNELLE, KAREN A. 2 WAYNE STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED	
5	7018 1130 0001 8114 2907	CRONIN, TIMOTHY E.; CRONIN, KATIE J. 4 WAYNE ST., HUDSON, NH 03051	ABUTTER NOTICE MAILED	
6	7018 1130 0001 8114 2914	MOLINARI, JAMES D. 17 LORRAINE ST., HUDSON, NH 03051	ABUTTER NOTICE MAILED	
7	7018 1130 0001 8114 2921	SULLIVAN, JUSTIN W.; SULLIVAN, KRISTEN J. 15 LORRAINE ST., HUDSON, NH 03051	ABUTTER NOTICE MAILED	
8	7018 1130 0001 8114 2938	MOORE, JUSTIN 7 RHONA STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED	
9				
10				
11				
12				
	Total Number of pieces listed by sender 8	Total number of pieces rec'vd at Post Office 8	Postmaster (receiving Employee) <i>Paula Angeli</i>	





SENDER:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - FIRST CLASS MAIL	Case# 198-079 18 Lorraine Street Map 198/Lot 079-000	VARIANCE 1 of 1
ARTICLE NUMBER	Name of Addressee, Street, and post office address		02/25/2021 ZBA Meeting	
1	Mailed First Class	BARRETT, THOMAS M., TR.; BARRETT, MARGARET A., TR.; BARRETT REVOCABLE TRUST 17 TESSIER STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED	
2	Mailed First Class	EPPOLITO, JANET A. 13 TESSIER STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED	
3	Mailed First Class	MASSOUYAN, RAFFI 14 LORRAINE ST., HUDSON, NH 03051	ABUTTER NOTICE MAILED	
4	Mailed First Class	MULLIN, LAWRENCE P.; MULLIN, MADELINE 6 WAYNE STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED	
5	Mailed First Class	LAROCK, RICHARD J.; LAROCK, LOUISE M. 8 WAYNE STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED	
6	Mailed First Class	CIERI, MARC V.; CIERI, MARIA 5 WAYNE ST., HUDSON, NH 03051	ABUTTER NOTICE MAILED	
7	Mailed First Class	BOWEN, KEITH 16 TATE ST., HUDSON, NH 03051	ABUTTER NOTICE MAILED	
8	Mailed First Class	NELSON, DEBRA A. 1 WAYNE STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED	
9	Mailed First Class	FLORCZAK, ADAM C., TR.; FLORCZAK, MARY E., TR.; FLORCZAK 2014 FAMILY TRUST 19 LORRAINE STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED	
10	Mailed First Class	PELLETIER, SUZANNE P., TR.; PELLETIER, MAURICE L., TR.; PELLETIER LIVING TRUST 4509 PARK TEN COURT, LEAVENWORTH, KS 66048	ABUTTER NOTICE MAILED	
11	Mailed First Class	LADUKE, AMY J. 6 RHONA STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED	
12	Mailed First Class	BOIVIN, JEFFREY M. 11 LORRAINE ST., HUDSON, NH 03051	ABUTTER NOTICE MAILED	
13				
14				
15				
	<b>Total Number of pieces listed by sender 12</b>	<b>Total number of pieces rec'vd at Post Office</b> <i>(12)</i>	<b>Postmaster (receiving Employee)</b> <i>Mailing Department</i> <i>Mailed First class</i> <i>TG</i>	

Non-Direct First Class

APPLICATION FOR A VARIANCE

This form constitutes a request for a variance from the literal provisions of the Hudson Zoning Ordinance Article VII of HZO Section(s) 334-27 in order to permit the following change or use:

To replace Qty 2 Sheds currently in set back with ONE new shed. Encroachment would be 5' from rear set back, currently there is 2 feet

You must attach to this application a copy of some form of determination that the proposed change or use is not permitted without a variance, consisting of a denial in writing of a building permit or use authorization by the Zoning Administrator, with the reasons for the denial being cited thereon.

**FACTS SUPPORTING THIS REQUEST:**

The power to grant variances from the local zoning ordinances is established in NH RSA 674:33 I (b), as follows:

**I. "The Zoning Board of Adjustment shall have the power to: ....**

**(b) Authorize upon appeal in specific cases a variance from the terms of the zoning ordinance if:**

- (1) The variance will not be contrary to the public interest;**
- (2) The spirit of the ordinance is observed;**
- (3) Substantial justice is done;**
- (4) The values of surrounding properties are not diminished; and**
- (5) Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship.**

**(A) For purposes of this subparagraph, "unnecessary hardship" means that, owing to special conditions of the property that distinguish it from other properties in the area:**

- (i) No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property; and**
- (ii) The proposed use is a reasonable one.**

**(B) If the criteria in subparagraph (A) are not established, an unnecessary hardship will be deemed to exist if, and only if, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable a reasonable use of it.**

The definition of "unnecessary hardship" set forth in subparagraph (5) shall apply whether the provision of the ordinance from which a variance is sought is a restriction of use, a dimensional or other limitation on a permitted use, or any other requirement of the ordinance.

New Hampshire case law has established, on the basis of the preceding statute and/or its precedent versions, that all of the following requirements must be satisfied in order for a Zoning Board of Adjustment to grant a variance. You must demonstrate by your answers in the following blanks that you do or will meet each and every requirement; do not presume or say that a requirement does not apply, or your request will be disqualified. Note that your answers here can be summary in nature, and you can provide additional testimony at the time of your hearing.

1. Granting of the requested variance will not be contrary to the public interest, because:

(Explain why you feel this to be true—keeping in mind that the proposed use must not conflict with the explicit or implicit purpose of the ordinance and that it must not alter the essential character of the neighborhood, threaten public health, safety, or welfare, or otherwise injure “public rights.”)

Granting of this variance will NOT be contrary to Public interest because the shed will be new, safe, and match in color and design of our home. @

2. The proposed use will observe the spirit of the ordinance, because:

(Explain why you feel this to be true—keeping in mind that, as detailed above, the proposed use must not conflict with the explicit or implicit purpose of the ordinance and must not alter the essential character of the neighborhood, threaten public health, safety, or welfare, or otherwise injure “public rights.”)

The proposed will observe the spirit of the ordinance because the shed will store lawn equipment, outdoor power equipment, and storage for items that would otherwise be subject to weather and/or unsightly tarps

3. Substantial justice would be done to the property-owner by granting the variance, because:

(Explain why you believe this to be true—keeping in mind that the benefits to the applicant must not be outweighed by harm to the general public or to other individuals.)

Substantial justice would be done to the property because I will provide much needed storage to the property while allowing for maximum use of property and adding value to the property

4. The proposed use will not diminish the values of surrounding properties, because:

(Explain why you believe this to be true—keeping in mind that the Board will consider expert testimony but also may consider other evidence of the effect on property values, including personal knowledge of the members themselves.)

The proposed will not diminish the values of surrounding properties because they are existing, less appealing and less safe sheds in the location (that were there when we purchased the property). The shed would be behind an existing 6' fence (owned by us). The neighbors are not close to the proposed location.

5. Special conditions exist such that literal enforcement of the ordinance results in **unnecessary hardship**, because:

(Explain why you believe this to be true—keeping in mind that you must establish that, because of the special conditions of the property in question, the restriction applied to the property by the ordinance does not serve the purpose of the restriction in a “fair and reasonable” way *and also* that you must establish that the special conditions of the property cause the proposed use to be reasonable. Alternatively, you can establish that, because of the special conditions of the property, there is no reasonable use that can be made of the property that would be permitted under the ordinance.)

Unique Features of my property that make me request this are the following.

- I have a sewer in my front yard that has a shallow line running down my entire back property line.

- I have trees on the right side that will not allow building on that side.

- I have a water line going from the home to the back side of the garden.

- I have an A/C compressor on the left of the house.

All of these items were in place when we purchased the home.

Requests before the Zoning Board of Adjustment may require connection to the municipal sewer system. Please contact the Town Engineer's Office prior to submittal of this application to determine if connection is required or will be allowed, together with the procedure for such application.



# TOWN OF HUDSON

## Land Use Division



12 School Street • Hudson, New Hampshire 03051 • Tel: 603-886-6008 • Fax: 603-594-1142

### Zoning Determination #21-025

Shawn Lussier  
18 Lorraine St  
Hudson, NH 03051

Re: 18 Lorraine St Map 198 Lot 079-000  
**District: Town Residence (TR)**

Dear Mr. Lussier,

**Zoning Review / Determination:**

The submitted plan indicates an encroachment of 10 ft into the required rear setback of 15 ft, leaving 5 ft of setback, for the placement of a 16 x 20 storage shed.

To continue with this proposal you would need to do the following:

Obtain a variance from the ZBA for relief from §334-27 Table of Minimum Dimensional Requirements, for 5 ft where 15 ft is required.

Sincerely,

*Bruce Buttrick*

*Bruce Buttrick, MCP*  
Zoning Administrator/Code Enforcement Officer  
(603) 816-1275  
[bbuttrick@hudsonnh.gov](mailto:bbuttrick@hudsonnh.gov)

cc: Public Folder  
D. Groth, Town Planner  
File

*NOTE: this determination may be appealed to the Hudson Zoning Board of Adjustment within 30 days of the receipt of this letter.*





COMMUNITY DEVELOPMENT DEPARTMENT  
 12 School Street  
 Hudson, NH 03051  
 (603)886-6005  
[www.hudsonnh.gov](http://www.hudsonnh.gov)



Town of Hudson

**REQUEST FOR ZONING and/or PLANNING INFORMATION / DETERMINATION**

Date of request 02/10/2021

Property Location 18 Lorraine St.

Map 198 Lot 79

Zoning District if known TR

Type of Request

- Zoning District Determination  Use Determination  Set-Back Requirements  
 Process for Subdivision/ Site Plan if required  
 Other

Description of request / determination: (Please attach all relevant documentation)

To build a 16'x20' storage shed on back side of property.  
Property is fully fenced in. I will be 5 ft from back fence.

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Applicant Contact Information:**

Name: Shawn Lussier  
 Address: 18 Lorraine St Hudson Nh. 03051  
 Phone Number: 603-305-1857

*For Office use*

ATTACHMENTS: TAX CARD  GIS   
 NOTES: \_\_\_\_\_  
 ZONING DETERMINATION LETTER SENT  DATE: \_\_\_\_\_



198 079 000  
MAP LOT SUB

1 of 1 RESIDENTIAL  
CARD Hudson

Total Card / Total Parcel  
APPRAISED: 236,500 / 236,500  
USE VALUE: 236,500 / 236,500  
ASSESSED: 236,500 / 236,500

**PROPERTY LOCATION**

No	Alt No	Direction/Street/City
18		LORRAINE ST, HUDSON

**OWNERSHIP**

Owner 1:	LUSSIER, SHAWN M.
Owner 2:	LUSSIER, SECRET M.
Owner 3:	
Street 1:	18 LORRAINE ST.
Street 2:	
Twn/City:	HUDSON
St/Prov:	NH Cntry
Postal:	03051

**PREVIOUS OWNER**

Owner 1:	CARIGNAN, CYNTHIA D. -
Owner 2:	-
Street 1:	26 SLAVIN DR.
Twn/City:	PELHAM
St/Prov:	NH Cntry
Postal:	03076

**NARRATIVE DESCRIPTION**

This parcel contains .459 ACRES of land mainly classified as ONE FAMILY with a RAISED RANCH Building built about 1965, having primarily VINYL Exterior and 1668 Square Feet, with 1 Unit, 1 Bath, 0 3/4 Bath, 1 HalfBath, 6 Rooms, and 3 Bdrms.

**OTHER ASSESSMENTS**

Code	Descrip/No	Amount	Com. Int

**PROPERTY FACTORS**

Item	Code	Description	%	Item	Code	Description
Z	TR	TOWN RES		water	3	TOWN WATE
o				Sewer	2	TOWN SEWE
n				Electri		
Census:				Exmpt		
Flood Haz:				c		
D				Topo	8	LEDGY
s				Street		
t				Gas:		

**LAND SECTION (First 7 lines only)**

Use Code	Description	LUC Fact	No of Units	Depth / PriceUnits	Unit Type	Land Type	LT Factor	Base Value	Unit Price	Adj	Neigh	Neigh Influ	Neigh Mod	Inf1	%	Inf2	%	Inf3	%	Appraised Value	Alt Class	%	Spec Land	J Code	Fact	Use Value	Notes
101	ONE FAMILY		0.459		SITE ACRE	SITE		0	110,000.	1.83	RE									92,147						92,100	

**IN PROCESS APPRAISAL SUMMARY**

Use Code	Land Size	Building Value	Yard Items	Land Value	Total Value
101	0.459	144,400		92,100	236,500
Total Card		0.459	144,400	92,100	236,500
Total Parcel		0.459	144,400	92,100	236,500
Source:		Market Adj Cost	Total Value per SQ unit /Card:		141.79 /Parcel: 141.79

**PREVIOUS ASSESSMENT**

Tax Yr	Use	Cat	Bldg Value	Yrd Items	Land Size	Land Value	Total Value	Asses'd Value	Notes	Date
2020	101	FV	144,400	0	.459	92,100	236,500	236,500	Year End Roll	8/27/2020
2020	101	JB	144,400	0	.459	92,100	236,500	236,500	Year End Roll	5/6/2020
2019	101	FV	144,400	0	.459	92,100	236,500	236,500	Year End Roll	9/16/2019
2019	101	JB	144,400	0	.459	92,100	236,500	236,500	Year End Roll	5/8/2019
2018	101	FV	144,400	0	.459	92,100	236,500	236,500	Year End Roll	8/27/2018
2018	101	JB	144,400	0	.459	92,100	236,500	236,500	Year End Roll	5/9/2018
2017	101	FV	144,400	0	.459	92,100	236,500	236,500	Year End Roll	10/26/2017
2017	101	PV	144,400	0	.459	92,100	236,500	236,500	Year End Roll	8/28/2017

**SALES INFORMATION**

Grantor	Legal Ref	Type	Date	Sale Code	Sale Price	V	Tst	Verif	Notes
CARIGNAN, CYNTH	9072-2506	1	5/14/2018		309,500	No	No		
HUD,	7829-2054	2	3/26/2007	BANK TRANS	221,550	No	No		
WELLS FARGO BAN	7801-1804	2	1/26/2007	BUSINESS		No	No		
WELLS FARGO BAN	7751-1462	5	9/27/2006	FORECLOSURE	239,900	No	No		
MALLEY, THOMAS	6639-1693	1	5/28/2002		223,000	No	No		
MALLEY, THOMAS	6543-2551		12/11/2001	FAMILY TRANS		No	No		
MALLEY, THOMAS/	6086-0106		3/31/1999	UNCLASSIFIED		No	No		
RIOUX, DAVID /	5552-588		5/31/1994		106,000	No	No		

**BUILDING PERMITS**

Date	Number	Descrip	Amount	C/O	Last Visit	Fed Code	F. Descrip	Comment
7/9/2018	2018-00667	MECHANIC	3,500	C				

**ACTIVITY INFORMATION**

Date	Result	By	Name
6/20/2017	Field Review	12	TECH ASMNT
10/12/2011	Measured	14	APPR TECH 4
8/17/2007	Measured	6	RB
8/3/2006	New Maps	7	DC
4/7/2001	Inspected	0	PATRIOT
4/2/2001	Measured	0	PATRIOT
5/3/1991	Inspected	2	AVITAR

Sign: VERIFICATION OF VISIT NOT DATA

Total AC/HA: 0.45900 Total SF/SM: 19994 Parcel LUC: 101 ONE FAMILY Prime NB Desc RES AVG Total: 92,147 Spl Credit Total: 92,100

Disclaimer: This Information is believed to be correct but is subject to change and is not warranted.

Database: AssessPro - Hudson

amym

2019



**Patriot Properties Inc.**

**USER DEFINED**

Prior Id # 1:	0046
Prior Id # 2:	0069
Prior Id # 3:	0000
Prior Id # 1:	
Prior Id # 2:	
Prior Id # 3:	
Prior Id # 1:	
Prior Id # 2:	
Prior Id # 3:	

ASR Map:

Fact Dist:

Reval Dist:

Year:

LandReason:

BldReason:

CivilDistrict:

Ratio:



**EXTERIOR INFORMATION**

Type:	21	- RAISED RANCH
Sty Ht:	2	- TWO STY
(Liv) Units:	1	Total: 1
Foundation:	6	- SLAB
Frame:	1	- WOOD
Prime Wall:	04	- VINYL
Sec Wall:	08	- BRICK VEN 15%
Roof Struct:	1	- GABLE
Roof Cover:	1	- ASPH SHING
Color:	WHITE	
View / Desir:		

**GENERAL INFORMATION**

Grade:	C	- AVERAGE
Year Blt:	1965	Eff Yr Blt:
Alt LUC:		Alt %:
Jurisdic:		Fact:
Const Mod:		
Lump Sum Adj:		

**INTERIOR INFORMATION**

Avg Ht/FL:	STD	
Prim Int Wal:	1	- DRYWALL
Sec Int Wal:		%
Partition:	T	- TYPICAL
Prim Floors:	04	- CARPET
Sec Floors:	03	- HARDWOOD 30%
Bsmnt Flr:		
Subfloor:		
Bsmnt Gar:		
Electric:	3	- TYPICAL
Insulation:	2	- TYPICAL
Int vs Ext:	S	
Heat Fuel:	2	- GAS
Heat Type:	3	- FORCED HW
# Heat Sys:	1	
% Heated:	100	% AC: 100
Solar HW:	NO	Central Vac: NO
% Com Wal:		% Sprinkled

**MOBILE HOME**

Make:	Model:	Serial #	Year:	Color:
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**SPEC FEATURES/YARD ITEMS**

Code	Description	A	Y/S	Qty	Size/Dim	Qual	Con	Year	Unit Price	D/S	Dep	LUC	Fact	NB Fa	Appr Value	JCod	JFact	Juris. Value
02	SHED-NV	D	Y	1	10x8	AV	AV	1980		0.00	T	37	101					

**BATH FEATURES**

Full Bath:	1	Rating:	AVERAGE
A Bath:		Rating:	
3/4 Bath:		Rating:	
A 3QBth:		Rating:	
1/2 Bath:	1	Rating:	AVERAGE
A HBth:		Rating:	
OthrFix:		Rating:	

**OTHER FEATURES**

Kits:	1	Rating:	AVERAGE
A Kits:		Rating:	
Frpl:	1	Rating:	GOOD
WSFlue:		Rating:	

**CONDO INFORMATION**

Location:			
Total Units:			
Floor:			
% Own:			
Name:			

**DEPRECIATION**

Phys Cond:	AV	- Average	32.	%
Functional:				%
Economic:				%
Special:				%
Override:				%
Total:			32	%

**CALC SUMMARY**

Basic \$ / SQ:	108.00
Size Adj.:	1.03956842
Const Adj.:	0.99743396
Adj \$ / SQ:	111.985
Other Features:	9117
Grade Factor:	1.00
NBHD Inf:	1.00000000
NBHD Mod:	
LUC Factor:	1.00
Adj Total:	212299
Depreciation:	67936
Depreciated Total:	144363

**COMMENTS**

--	--	--	--	--

**RESIDENTIAL GRID**

1st Res Grid	Desc:	CONV	# Units	1
Level	FY LR DR D K FR RR BR FB HB L O			

Other				
Upper				
Lvl 2				
Lvl 1				
Lower				

Totals	RMs:	6	BRS:	3	Baths:	1	HB	1
--------	------	---	------	---	--------	---	----	---

**REMODELING**

Exterior:	
Interior:	
Additions:	
Kitchen:	
Baths:	
Plumbing:	
Electric:	
Heating:	2018
General:	

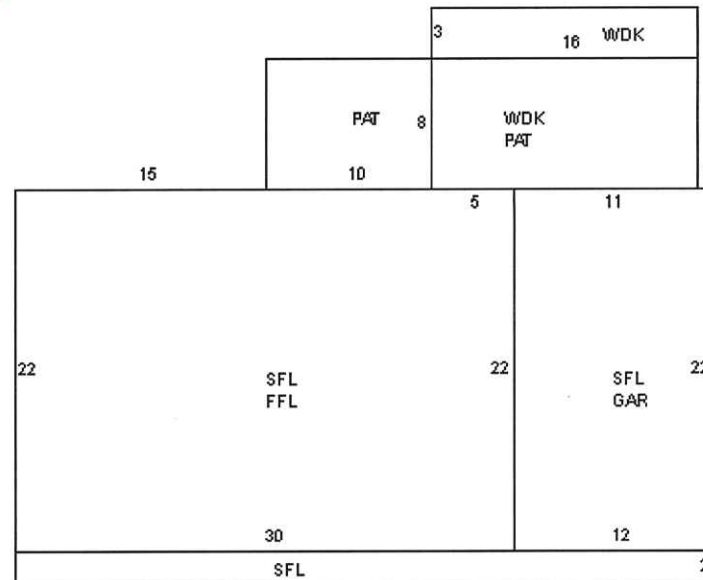
**RES BREAKDOWN**

No Unit	RMS	BRS	FL
1	6	3	M
Totals			
1	6	3	

**COMPARABLE SALES**

Rate	Parcel ID	Typ	Date	Sale Price

WtAv\$/SQ:	AvRate:	Ind.Val
Juris. Factor:	Before Depr:	111.99
Special Features: 0	Val/Su Net:	62.35
Final Total: 144400	Val/Su SzAd	86.57

**SKETCH****SUB AREA**

Code	Description	Area - SQ	Rate - AV	Undepr Value
SFL	SECOND FLR	1,008	111.990	112,881
FFL	FIRST FLOOR	660	111.990	73,910
GAR	GARAGE	264	44.420	11,728
PAT	PATIO	208	8.110	1,686
WDK	WOOD DECK	176	16.910	2,977

Net Sketched Area: 2,316		Total:	203,182
Size Ad	1668	Gross Area	2316
		FinArea	1668

**SUB AREA DETAIL**

Sub Area	% Usbl	Descrip	% Type	Qu	# Ten
----------	--------	---------	--------	----	-------

**IMAGE***AssessPro* Patriot Properties, Inc



Shawn Lussier  
16x20' STORAGE SHED will be 5' FROM all PROPERTY LINES  
18 LORRAINE ST

http://gis.hudsonnh.gov/HudsonNH/

Town of Hudson, NH - GIS

18 Lorraine st

Search Results: Selection Results

Parcel ID	Address	Owner
198-079-000	18 LORRAINE ST	LUSSIER, SHAWN M

18 LORRAINE ST

PARCEL ID:	198-079-000
OWNER NAME:	LUSSIER, SHAWN M
PROPERTY LOCATION:	18 LORRAINE ST
CO-OWNER:	LUSSIER, SECRET M.
MAILING ADDRESS:	18 LORRAINE ST
CSZ:	HUDSON, NH 03051
ACCOUNT NUMBER:	3781

OWNER ASSESSMENT SALES LINKS

ADD TO SELECTION GET ABUTTERS

CDM Smith Version: 1.1.5

9:01 AM 2/10/2021

Printed  
3/08/2021  
9:04AM  
Created  
3/08/2021  
8:58 AM

Rev'd 3/5/21  
TG

Transaction Receipt  
Town of Hudson, NH  
12 School Street  
Hudson, NH 03051-4249

Receipt# 632,327  
tgoodwyn

	<u>Description</u>	<u>Current Invoice</u>	<u>Payment</u>	<u>Balance Due</u>
1.00	Zoning Application- 03-25-21 ZBA Meeting 18 Lorraine Street Map/Lot 198-079-000 Variance Application	0.00	169.8000	0.00
			Total:	169.80

<u>Remitter</u>	<u>Pay Type</u>	<u>Reference</u>	<u>Tendered</u>	<u>Change</u>	<u>Net Paid</u>
Shawn Lussier (JEANNE D'ARC CU)	CHECK	MO # 0000829338	169.80	0.00	169.80
			Total Due:		169.80
			Total Tendered:		169.80
			Total Change:		0.00
			Net Paid:		169.80



# TOWN OF HUDSON

## Land Use Division

12 School Street • Hudson, New Hampshire 03051 • Tel: 603-886-6008 • Fax: 603-594-1142



### Zoning Administrator Staff Report

Meeting Date: March 25, 2021 *BB 3-17-21*

**Case 191-099 (03-25-21):** Karen Bastarache, 52 Belknap Rd, Hudson, NH requests a Variance for the addition of a second story with no footprint increase to an existing non-conforming structure (house and garage). [Map 191, Lot 099-000; Zoned Residential-Two (R-2); HZO Article VIII, Nonconforming Uses, Structures and Lots, §334-31 A, Alteration and expansion of nonconforming structures].

**Address:** 52 Belknap Rd

**Zoning district:** Residential Two (R-2)

#### Summary:

Applicant requests a Variance to erect a 24 x 40 second floor addition onto an existing non-conforming structure which is partially within the front setback.

#### Property description:

Developed non-conforming lot of record (frontage & area), with 130 ft frontage where 150 ft required and 30,994 sq ft where 43,560 sq ft required. Single family (w/ existing not known to be legal ADU).

Z.A. Note: this district (R-2) allows 2 family use.

#### HISTORY:

B.P. # 308-84 issued April 27, 1984 "8'x16' screen porch".

Code Enforcement 9/08/2010 re: Pool w/o permit.

B.P. # 2010-00517 issued 9/30/2010 "24 ft A/G pool w/ 12'x12' deck".

No B.P. permit on record for ADU.

No Code Enforcement regarding the ADU.

#### Attachments:

"A" Assessing record.

"B" B.P. #308-84: "8'x16' screen porch".

"C" Code Enforcement 9/08/2010 close out

"D" B.P. #2010-00517: "24 ft A/G pool w/ 12'x12' deck".



**Previous Assessments**

<b>Year</b>	<b>Code</b>	<b>Building</b>	<b>Yard Items</b>	<b>Land Value</b>	<b>Acres</b>	<b>Special Land</b>	<b>Total</b>
2020	108 - IN-LAW	144,700	1,600	86,100	0.69	0.00	232,400
2020	108 - IN-LAW	144,700	1,600	86,100	0.69	0.00	232,400
2019	108 - IN-LAW	144,700	1,600	86,100	0.69	0.00	232,400
2019	108 - IN-LAW	150,200	3,900	86,100	0.69	0.00	240,200
2018	108 - IN-LAW	150,200	3,900	86,100	0.69	0.00	240,200
2018	108 - IN-LAW	150,200	3,900	86,100	0.69	0.00	240,200
2017	108 - IN-LAW	150,200	3,900	86,100	0.69	0.00	240,200
2017	108 - IN-LAW	116,000	4,500	86,100	0.69	0.00	206,600
2017	108 - IN-LAW	150,200	3,900	86,100	0.69	0.00	240,200
2016	108 - IN-LAW	116,000	4,500	86,100	0.69	0.00	206,600
2016	108 - IN-LAW	116,000	4,500	86,100	0.69	0.00	206,600
2015	108 - IN-LAW	116,000	4,500	86,100	0.69	0.00	206,600
2015	108 - IN-LAW	116,000	4,500	86,100	0.69	0.00	206,600
2014	108 - IN-LAW	116,000	4,500	86,100	0.69	0.00	206,600
2014	108 - IN-LAW	116,000	4,500	86,100	0.69	0.00	206,600
2013	108 - IN-LAW	116,000	4,500	86,100	0.69	0.00	206,600
2013	108 - IN-LAW	116,000	4,500	86,100	0.69	0.00	206,600
2012	108 - IN-LAW	116,000	4,500	86,100	0.69	0.00	206,600
2012	101 - ONE FAMILY	148,800	3,700	122,400	0.69	0.00	274,900
2011	101 - ONE FAMILY	144,700	3,700	122,400	0.69	0.00	270,800
2011	101 - ONE FAMILY	144,700	3,700	122,400	0.69	0.00	270,800
2010	101 - ONE FAMILY	144,700	1,100	122,400	0.69	0.00	268,200
2010	101 - ONE FAMILY	144,700	1,100	122,400	0.69	0.00	268,200
2009	101 - ONE FAMILY	144,700	1,100	122,400	0.69	0.00	268,200
2008	101 - ONE FAMILY	144,700	1,100	122,400	0.69	0.00	268,200
2008	101 - ONE FAMILY	144,700	1,100	122,400	0.69	0.00	268,200
2007	101 - ONE FAMILY	144,700	1,100	122,400	0.69	0.00	268,200
2007	101 - ONE FAMILY	161,800	800	90,700	0.69	0.00	253,300
2006	101 - ONE FAMILY	161,800	800	90,700	0.69	0.00	253,300
2006	101 - ONE FAMILY	161,800	800	90,700	0.69	0.00	253,300
2005	101 - ONE FAMILY	161,800	800	90,700	0.69	0.00	253,300
2005	101 - ONE FAMILY	161,800	800	90,700	0.69	0.00	253,300
2004	101 - ONE FAMILY	161,800	800	90,700	0.69	0.00	253,300
2004	101 - ONE FAMILY	130,900	600	68,000	0.69	0.00	199,500
2003	101 - ONE FAMILY	130,900	600	68,000	0.69	0.00	199,500
2003	101 - ONE FAMILY	130,900	600	68,000	0.69	0.00	199,500
2002	101 - ONE FAMILY	130,900	600	68,000	0.69	0.00	199,500
2002	101 - ONE FAMILY	130,900	600	68,000	0.69	0.00	199,500
2002	101 - ONE FAMILY	130,900	600	68,000	0.69	0.00	199,500
2001	101 - ONE FAMILY	61,900	0	50,000		0.00	111,900
2000	101 - ONE FAMILY	60,000	1,900	50,000	0.69	0.00	111,900
1999	101 - ONE FAMILY	60,000	1,900	50,000	0.69	0.00	111,900

A





# Town of Hudson, N. H.

Office of Town Building Inspector

BUILDING PERMIT

No. 306-84

April 27, 1964

This certifies that Norman F. Tatters Name of Owner

erect  
is granted permission to alter 2' x 6' concrete porch Description  
repair  
move

of Building

on premises located at and known as

to 4656-001 Street or Avenue 77K-49457

and to do things lawful to that end.

This permit is issued on application number \_\_\_\_\_, is subject to the conditions thereof and to the provisions of the Zoning Ordinance, and is void unless work thereunder shall have been commenced within 60 days next after the date hereof.

This Permit is issued under the condition that this building WILL NOT be occupied until a Certificate of occupancy is obtained from the Building Inspector.

Value \$ 400.00

Fee \$ 3.00

Richard L. [Signature] Administrative Officer

**B**





TOWN OF HUDSON, N. H.

Application for a Permit To Build

Date 4/23/1984

Residential	X
Commercial	
Industrial	
Garage	
Breezeway	
No. of Units	

Subdivision	Yes	No
Planning Bd. Approval Sub Div.	Yes	No
Water Pollution Approval Sub Div. No.		
Septic Construction Permit No.		
Necessary Bonds Posted	Yes	No
Bd. of Adj. Variance Granted If Nec.		

New	
Alter	X
Addition	
Repair	

Permit Number 308-84

Name of Owner Norman TESSIER Address 52 Belknap Rd Tel. 8823150

Land Purchased From ERNEST TESSIER Address Deceased

Location 52 Belknap Rd Property Tax No. 4656-001

Name of General Contractor SCA Map and Lot No. 49/57

Name of Heating Contr. Name of Electrical Contractor

Type of Heat Name of Plumbing Contractor

Name of Fireplace Mason Name of Masonry Contractor

Material of Building Style of Roof Roof Covering

Size of Foundation Living Floor Area No. of Stories

Size of Garage Water Sewer

Foundation Material Width Height Footings Yes No

Fireplace No. of Flues Size Chimney Material

Brief Description of Repair, Alter or Other Alter front entire to screen porch

Value 400.00 Fee 3.00

IF NECESSARY, AN APPLICATION FOR A DRIVEWAY PERMIT MUST BE FILED WITH THE CIVIL ENGINEER.

The undersigned hereby agrees that the proposed work shall be done in accordance with the foregoing statement, and with the plans and specifications submitted; and that the work connected therewith shall conform with the building laws and regulations of the town of Hudson, and that will notify the Building Inspector when foundation, frame, chimneys, fire-stops and heater-pipes, electrical wiring and plumbing are ready for inspection. I also certify that I have been authorized by the owner to apply for this permit.

OVER

Sketch of building, show streets set back from property lines on all sides on other side.

Owner's Signature Norman TESSIER

Contractor's Signature SCA

Address 52 Belknap Rd

B2

# Application For Permit to Build

No. ....

Location 52 Belknap Rd

Estimated Cost \$ 400 <sup>00</sup>

PERMIT GRANTED

WORK COMPLETED

Building Inspector

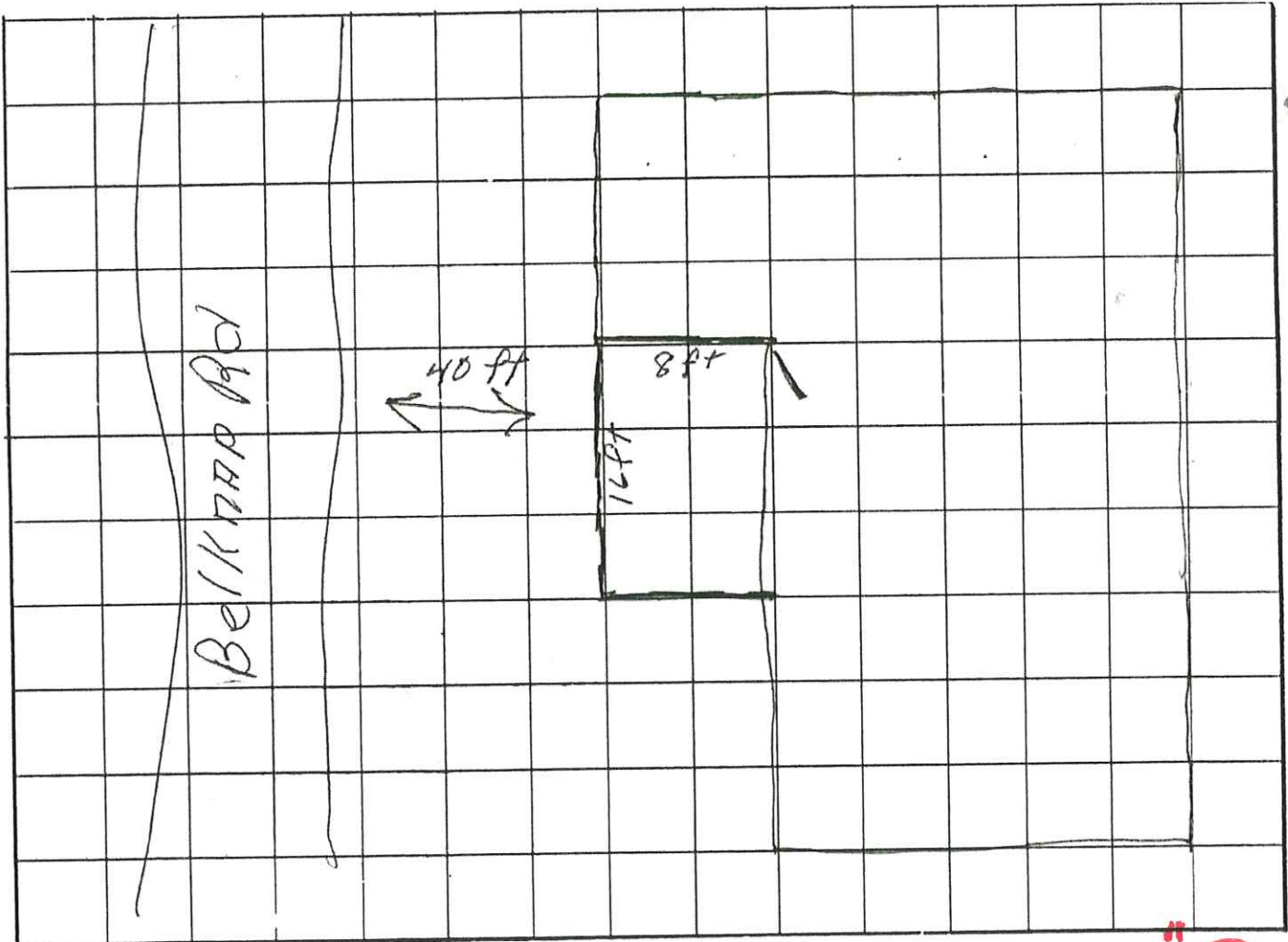
## PLOT PLAN

COMMENTS

LOT ..... NORMAN W. JESSIER Owner's Name

SHEET ..... 52 Belknap Rd No. Street

SCALE 1" = ft. \_\_\_\_\_ District



I,

certify this plot.

Date

B<sub>3</sub>

**Code Enforcement  
Violation Detail  
Town of Hudson, NH**

**Number:** V2010-00165      **Type:** Building      **Status:** Complies

**Permit Number:** 2010-00517      **Business License:** 2010-00517  
**Reported:** 9/08/2010      **Issued:**      **Resolved:** 9/30/2010

**Description:** Installation of an above ground pool and pool deck without permits (9/17/10 violation letter sent) (9/22/10 owner called and spoke with Julie, they were inquiring what to do, they were told to fill out a building permit application and bring it in) (9/24/10 picked up building permit application) (9/27/10 building permit application received) (9/30/10 building permit issued)

**Site Information:**

**Name:** TESSIER, OLIVE  
**Map Lot:** 191-099-000  
**Street:** 52 BELKNAP RD

**Owner Information:**

**Name:** TESSIER, OLIVE  
**Street:** 0 52 BELKNAP ROAD

**Activities:**

Date Entered	Entered By	Type	Due Date	Status
9/14/2010	AutoEntry	Initial entry Violation - Auto Activity Initial Entry of Violation	/ /	C
9/17/2010	AutoEntry	Mail Delivered - Auto Activity Auto Activity Document Delivery - Purpose BWP Sent To TESSIER, OLIVE The Delivery Type is Certified / return receipt	10/01/2010	O

**Delivered Mail:**

Purpose	Date Sent	Sent To Whom
Delivery Type Number	Sent To Address	
BWP	9/17/2010	TESSIER, OLIVE
Certified	52 BELKNAP ROAD	
70080150000104174763	HUDSON	NH 03051

**Reported By Information:**

Name	Title	Phone
Email		

" C "





Town of Hudson, NH  
**POOL PERMIT**

Community Development Department  
12 School Street  
Hudson, NH 03051  
603-886-6005

Permit Number  
2010-00517  
Date of Issue  
9/30/2010  
Expiration Date  
9/30/2011

Owner: TESSIER, OLIVE

Applicant: TESSIER, OLIVE

Location of Work: 52 BELKNAP RD (Unit or Building)  
(No. and Street)

Description of Work: Install a 24' above ground pool with a 12' x 12' deck.

ZONING DATA: District: R-2 Map/Lot: 191-099-000

**REMARKS:**

- ALL CONSTRUCTION MUST BE LOCATED 15 FEET FROM THE SIDE AND REAR PROPERTY LINES.
- A SEPARATE ELECTRICAL PERMIT IS REQUIRED; ALL ELECTRICAL MUST BE TO CURRENT CODE
  - A FENCE IS REQUIRED FOR ALL IN GROUND POOLS OR IF POOL IS LESS THAN 4 FEET HIGH. THE FENCE MUST BE AT LEAST 48" TALL AT ALL AREAS ALONG ITS ENTIRE LENGTH. GATES SHALL BE LOCKABLE. DECKS ATTACHING FROM AN OCCUPIABLE BUILDING WITH A POOL SHALL HAVE LOCKABLE DOORS AS WELL AS A PASSAGE ALARM.
  - **Building Permit Issuance Conditions are as follows:**
    - THIS PERMIT CONVEYS NO RIGHT TO OCCUPY ANY STREET, ALLEY OR SIDEWALK OR ANY PART THEREOF, EITHER TEMPORARILY OR PERMANENTLY.
    - THE ISSUANCE OF THIS PERMIT DOES NOT RELEASE THE APPLICANT FROM THE CONDITIONS OF ANY APPLICABLE SUBDIVISION AND OR SITE PLAN APPROVAL REQUIREMENTS.
    - APPROVED PLANS MUST BE RETAINED ON JOB AND THIS CARD KEPT POSTED UNTIL FINAL INSPECTION HAS BEEN MADE.
    - NO BUILDING SHALL BE OCCUPIED OR USED UNTIL A FINAL INSPECTION IS PERFORMED.
    - WHEN APPLICABLE, SEPARATE PERMITS ARE REQUIRED FOR ELECTRICAL, PLUMBING, AND MECHANICAL INSTALLATIONS.
    - WORK MUST BE STARTED WITHIN 6 MONTHS FROM THE DATE OF PERMIT ISSUANCE.
    - ALL CONSTRUCTION MUST CONFORM TO ALL APPLICABLE STATE OF NEW HAMPSHIRE AND HUDSON TOWN CODES.

Permit Holder: TESSIER, OLIVE (Taking Responsibility for the Work)
Company/Affiliation: Owner      Job Site Phone Number:

Constr Cost: \$4,000	Permit Fee: \$100.00	Check No.:	Cash: \$0.00
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The Permit Card Shall be Posted and Visible From the Street During Construction

THIS BUILDING PERMIT AUTHORIZES ALL CODE OFFICIALS, BUILDING INSPECTOR AND ASSESSOR OR THEIR AGENTS TO CONDUCT INSPECTIONS FROM TIME TO TIME DURING AND UPON COMPLETION OF THE WORK FOR WHICH THIS PERMIT IS ISSUED.

<i>William A. DeBask</i> Code Official	<i>permit mailed w/out signatures</i> Permit Holder	9/30/2010 Date
---	--	-------------------

*JK*  
"D"



APPLICATION FOR A VARIANCE

Entries in this box are to be filled out by Land Use Division personnel
Case No. 191-099 (03-25-21)
Date Filed 3/9/21

To: Zoning Board of Adjustment
Town of Hudson
Name of Applicant Karen Bastarache (Sevigny) Map: 191 Lot: 099 Zoning District: R-2
Telephone Number (Home) 603-689-6441 (Work) 603-689-6122
Mailing Address 52 Belknap Rd. Hudson, NH 03051
Owner Karen Bastarache (Sevigny)
Location of Property 52 Belknap Rd. Hudson, NH 03051 (Street Address)

Signature of Applicant Karen Bastarache Date 3/9/21
Signature of Property-Owner(s) Karen Bastarache Date 3/9/21

NOTE: Fill in all portions of the Application Form(s) as appropriate. This application is not acceptable unless all required statements have been made. Additional information may be supplied on a separate sheet if space provided is inadequate. If you are not the property owner, you must provide written documentation signed by the property owner(s) to confirm that the property owner(s) are allowing you to speak on his/her/their behalf or that you have permission to seek the described variance.

Items in this box are to be filled out by Land Use Division personnel
COST:
Application fee: \$130.00
8 Direct Abutters x \$4.15 = 33.20
8 Indirect Abutters x \$0.55 = 4.40
Total amount due: \$167.60
Date received: 3/9/21
Amt. received: \$167.60
Receipt No.: 632,676
Received by: TSG
By determination of the Zoning Administrator or Building Inspector, the following Departmental review is required:
Engineering Fire Department Health Officer Planner



# TOWN OF HUDSON, NH

## NOTICE TO APPLICANTS

The following **requirements/checklist** pertain to the Town of Hudson, NH, Zoning Board of Adjustment applications, as applicable:

Applicant Initials		Staff Initials
<u>KB</u>	The applicant must provide <sup>11</sup> <del>13</del> copies including the original of the filled-out application form, together with this checklist and any required attachments listed. (Paper clips, no staples)	<u>TG</u>
<u>KB</u>	Before making the 13 copies, please review the application with the Zoning Administrator or staff.	<u>TG</u>
<u>KB</u>	A separate application shall be submitted for each request, with a separate application fee for each request i.e.: Variance, Special Exception, Home Occupation Special Exception, Wetland Special Exception, Appeal from an Administrative Decision, and Equitable Waiver but only one abutter notification fee will be charged for multiple requests. If paying by check, make the check payable to the Town of Hudson.	<u>TG</u>
<u>KB</u>	If the applicant is not the property owner(s), the applicant must provide to the Town written authorization, signed and dated by the property owner(s), to allow the applicant or any representative to apply on the behalf of the property owner(s). (NOTE: if such an authorization is required, the Land Use Division will not process the application until this document has been supplied.)	<u>N/A</u>
<u>KB</u>	Provide two (2) sets of mailing labels from the abutter notification lists (Pages 4 & 5) prepared by applicant, with the proper mailing addresses, must be dated within (30) thirty days of submittal of the application. The abutter lists can be obtained from the assessor's office. (NOTE: the Land Use Division cannot process your application without the abutter lists. It is the applicant's responsibility to ensure that the abutter lists are complete and correct. If at the time of the hearing any applicable property owner is found not to have been notified because the lists are incomplete or incorrect, the Zoning Board will defer the hearing to a later date, following notification of such abutters.)	<u>TG</u>
<u>KB</u>	A copy of both sides of the assessor's card shall be provided. (NOTE: these copies are available from the Assessor's Office)	<u>TG</u>
<u>KB</u>	A copy of the Zoning Administrator's correspondence confirming either that the requested use is not permitted or that action by the Zoning Board of Adjustment is required must be attached to your application.	<u>TG</u>
<u>KB</u>	For a Wetland Special Exception, a letter or a copy of the relevant decision from the Hudson Conservation Commission shall be attached to the application for existing single-family and duplex residential uses. All other Wetland Special Exceptions (multifamily, commercial, or industrial uses) must have letters both from the Conservation Commission and from the Planning Board.	<u>N/A</u>

**PLOT PLAN-**

*See Proposed plan drawings attached.*

Except for requests pertaining to above-ground pools, sheds, decks and use variances, the application must include a copy of a certified plot plan from a licensed land surveyor. The required plot plan shall include all of the items listed below. Pictures and construction plans will also be helpful. (NOTE: it is the responsibility of the applicant to make sure that all of the requirements are satisfied. The application may be deferred if all items are not satisfactorily submitted):

- a) \_\_\_\_\_ The plot plan shall be drawn to scale on an 8 1/2" x 11" or 11" x 17" sheet with a North pointing arrow shown on the plan. \_\_\_\_\_
- b) \_\_\_\_\_ The plot plan shall be up-to date and dated, and shall be no more than three years old. \_\_\_\_\_
- c) \_\_\_\_\_ The plot plan shall have the signature and the name of the preparer, with his/her/their seal. \_\_\_\_\_
- d) \_\_\_\_\_ The plot plan shall include lot dimensions and bearings, with any bounding streets and with any rights-of-way and their widths as a minimum, and shall be accompanied by a copy of the GIS map of the property. (NOTE: copies of the GIS map can be obtained at the Land Use Division.) \_\_\_\_\_
- e) \_\_\_\_\_ The plot plan shall include the location and dimensions of existing or required services, the area (total square footage), all buffer zones, natural features, any landscaped areas, any recreation areas, any safety zones, all signs, streams or other wetland bodies, and any drainage easements. \_\_\_\_\_
- f) \_\_\_\_\_ The plot plan shall include all existing buildings or other structures, together with their dimensions and the distances from the lot lines, as well as any encroachments. \_\_\_\_\_
- g) \_\_\_\_\_ The plot plan shall include all proposed buildings, structures, or additions, marked as "PROPOSED," together with all applicable dimensions and encroachments. \_\_\_\_\_
- h) \_\_\_\_\_ The plot plan shall show the building envelope as defined from all the setbacks required by the zoning ordinance. \_\_\_\_\_
- i) \_\_\_\_\_ The plot plan shall indicate all parking spaces and lanes, with dimensions. \_\_\_\_\_

**The applicant has signed and dated this form to show his/her awareness of these requirements.**

*Haven Bastawole*  
Signature of Applicant(s)

3/9/21  
Date

The Land Use Division will schedule a public hearing at the next available meeting of the Hudson Zoning Board of Adjustment for your properly-completed application. Applications are scheduled on a first-come, first-served basis. Public notice of the hearing will be posted on public bulletin boards in the Town Hall, the Post Office, and the Rogers Library and also printed in a newspaper, and a notice will be mailed to the applicant, all abutters, and any other parties whom the Board may deem to have an interest.

After the public hearing, the Board will deliberate and then reach a decision either to grant the request (perhaps with stipulations to make it palatable) or to deny the request—or to defer final action to another meeting, or perhaps to accept a request for withdrawal. You will be sent a Notice of Decision during the following week.

If you believe that the Board's decision is wrong, you have the right to appeal. In addition, any third party/parties affected by the decision also has/have the right to appeal the decision of your case. To appeal, you must first ask the Board for a rehearing; this motion for rehearing may be in the form of a letter to the Board. The rehearing request must be made in writing within thirty (30) days following the Board's decision, and must set forth the grounds on which it is claimed the decision is unlawful or unreasonable.

The Board may grant such a rehearing if, in the Board's opinion, good reason is stated in the motion. In general, the Board will not allow a rehearing unless a majority of its sitting members conclude either that the protested decision was illegal or unreasonable or that the request for rehearing demonstrates the availability of new evidence that was not available at the original hearing. The Board will not reopen a case based on the same set of facts unless it is convinced that an injustice would be created by not doing so. Whether or not a rehearing is held, you must have requested one before you can appeal the decision to the Court(s). When a rehearing is held, the same procedure is followed as for the first hearing, including public notice and notice to abutters.

Please refer to NH RSA Chapter 677 for more detail on rehearing and appeal procedures.

**ALL DIRECT ABUTTERS**

List name(s) and mailing addresses of the owner(s) of record of the property and all direct abutters as of the time of the last assessment of taxation made by the Town of Hudson, including persons whose property is either contiguous or separated from the subject tract of land by a street or stream. If at the time of your hearing any applicable property owner is found not to have been notified because your lists are incorrect or incomplete, the Zoning Board will defer your hearing to a later date, following notification of such abutters. (Use additional copies of this page if necessary)

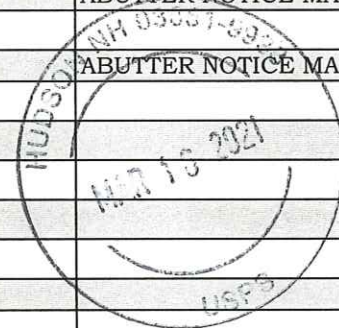
MAP	LOT	NAME OF PROPERTY OWNER	MAILING ADDRESS
191	019-000	Mark Gauthier Elizabeth Gillis	73 Melendy Rd. Hudson, NH 03051
191	020-000	Erin macdonald Joshua Mackin	51 B Belknap Rd. Hudson, NH 03051
191	096-000	Robert Stadtman	52 B St. Hudson, NH 03051
191	097-000	Chad Crutchley Paige Millen	54 B St. Hudson, NH 03051
191	098-000	Kelly Rucko-Scaduto Alexander Rucko-Scaduto	50 Belknap Rd. Hudson, NH 03051
191	100-000	Roland Cormier Suzanne Cormier	71 Melendy Rd. Hudson, NH 03051
191	101-000	Violetta Lortie	67 Melendy Rd. Hudson, NH 03051
191	099-000	Karen Sevigny Anyssa Sevigny	52 Belknap Rd. Hudson, NH 03051

**ALL INDIRECT ABUTTERS WITHIN 200 FEET**

List name(s) and mailing addresses of all indirect abutters (those whose property is not contiguous but is within 200 feet from the property in question) as of the time of the last assessment of taxation made by the Town of Hudson. If at the time of your hearing any applicable property owner is found not to have been notified because your lists are incorrect or incomplete, the Zoning Board will defer your hearing to a later date, following notification of such abutters. (Use additional copies of this page if necessary)

MAP	LOT	NAME OF PROPERTY OWNER	MAILING ADDRESS
191	018-000	Kevin Leighton Vivi Leighton	75 Melendy Rd. Hudson, NH 03051
191	021-000	John Card Connie Card	49 1/2 Belknap Rd Hudson, NH 03051
191	087-000	Larry Hileman Lynn Hileman	48 Belknap Rd. Hudson, NH 03051
191	094-000	Ryan Demirgian	48 B St. Hudson, NH 03051
191	095-000	Jason Grand megan Grand	50 B St. Hudson, NH 03051
191	102-001	Selective Properties Petersen + Associates, LLC.	11 Majestic Ave Pelham, NH 03076
191	102-002	Selective Properties Petersen + Associates LLC	11 Majestic Ave Pelham, NH 03076
191	103-000	Maria Kalathakis Kalathakis Rev. Trust	86 Belknap Rd. Hudson, NH 03051
191	187-000	Woodland Heights Condo Assc. C/O Evergreen MGMT Group Attn: Elaine Devlin Property MGR	17 Commerce Dr. Beafield, NH 03110

SENDER:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - CERTIFIED MAIL	Case# 191-099 52 Belknap Rd Map 191/Lot 099-000	VARIANCE 1 of 1
	ARTICLE NUMBER	Name of Addressee, Street, and post office address	03/25/2021 ZBA Meeting	
1	7018 1130 0001 8114 2945	SEVIGNY, KAREN 52 BELKNAP ROAD, HUDSON, NH 03051	APPLICANT NOTICE MAILED	
2	7018 1130 0001 8114 0613	GAUTHIER, MARK; GILLIS, ELIZABETH 73 MELENDY ROAD, HUDSON, NH 03051	ABUTTER NOTICE MAILED	
3	7018 1130 0001 8114 0620	MACDONALD, ERIN E.; MACKIN, JOSHUA T. 51B BELKNAP RD., HUDSON, NH 03051	ABUTTER NOTICE MAILED	
4	7018 1130 0001 8114 0637	STADTMAN, ROBERT DOUGLAS 52 B ST., HUDSON, NH 03051	ABUTTER NOTICE MAILED	
5	7018 1130 0001 8114 0576	CRUTCHLEY, CHAD; MILLEN, PAIGE 54 B STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED	
6	7018 1130 0001 8114 0583	RUCKO-SCADUTO, KELLY; RUCKO-SCADUTO, ALEXANDER 50 BELKNAP RD., HUDSON, NH 03051	ABUTTER NOTICE MAILED	
7	7018 1130 0001 8114 0590	CORMIER, ROLAND B.; CORMIER, SUZANNE R. 71 MELENDY ROAD, HUDSON, NH 03051	ABUTTER NOTICE MAILED	
8	7018 1130 0001 8114 0606	LORTIE, VIOLETTA A. 67 MELENDY ROAD, HUDSON, NH 03051	ABUTTER NOTICE MAILED	
9				
10				
11				
12				
	Total Number of pieces listed by sender 8	Total number of pieces rec'vd at Post Office	Postmaster (receiving Employee)	





SENDER:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - FIRST CLASS MAIL	Case# 191-099 52 Belknap Rd Map 191/Lot 099-000	VARIANCE 1 of 1
ARTICLE NUMBER	Name of Addressee, Street, and post office address	03/25/2021 ZBA Meeting		
1	Mailed First Class	LEIGHTON, KEVIN F.; LEIGHTON, VIVI 75 MELENDY RD., HUDSON, NH 03051	ABUTTER NOTICE MAILED	
2	Mailed First Class	CARD, JOHN; CARD, CONNIE 49 1/2 BELKNAP ROAD, HUDSON, NH 03051	ABUTTER NOTICE MAILED	
3	Mailed First Class	HILEMAN, LARRY; HILEMAN, LYNN 48 BELKNAP ROAD, HUDSON, NH 03051	ABUTTER NOTICE MAILED	
4	Mailed First Class	DEMIRGIAN, RYAN A. 48 B ST., HUDSON, NH 03051	ABUTTER NOTICE MAILED	
5	Mailed First Class	GRAND, JASON R.; GRAND, MEGAN E. 50 B STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED	
6	Mailed First Class	SELECTIVE PROPERTIES; PETERSEN & ASSOCIATES, LLC 11 MAJESTIC AVE., PELHAM, NH 03076	ABUTTER NOTICE MAILED	
7	Mailed First Class	KALATHAKIS, MARIA, TR.; KALATHAKIS REV TRUST 86 BELKNAP ROAD, HUDSON, NH 03051	ABUTTER NOTICE MAILED	
8	Mailed First Class	WOODLAND HEIGHTS CONDO ASSOC.; C/O EVERGREEN MGMT GROUP; ATTN: ELAINE DEVLIN-PROPERTY MGR 17 COMMERCE DR, BEDFORD, NH 03110	ABUTTER NOTICE MAILED	
9				
10				
11				
12				
13				
14				
15				
	<b>Total Number of pieces listed by sender 8</b>	<b>Total number of pieces rec'vd at Post Office</b> 8	<b>Postmaster (receiving Employee)</b>	

TOWN OF HUDSON  
MAR 16 2021  
Zoning Department

*Mailed first class*  
②



APPLICATION FOR A VARIANCE

This form constitutes a request for a variance from the literal provisions of the Hudson Zoning Ordinance Article VIII of HZO Section(s) 334-31.A in order to permit the following change or use:

Adding a second story addition to the existing structure will not make it more nonconforming as we are not increasing the footprint of the existing structure.

You must attach to this application a copy of some form of determination that the proposed change or use is not permitted without a variance, consisting of a denial in writing of a building permit or use authorization by the Zoning Administrator, with the reasons for the denial being cited thereon.

**FACTS SUPPORTING THIS REQUEST:**

The power to grant variances from the local zoning ordinances is established in NH RSA 674:33 I(b), as follows:

**I. "The Zoning Board of Adjustment shall have the power to: ....**

**(b) Authorize upon appeal in specific cases a variance from the terms of the zoning ordinance if:**

- (1) The variance will not be contrary to the public interest;**
- (2) The spirit of the ordinance is observed;**
- (3) Substantial justice is done;**
- (4) The values of surrounding properties are not diminished; and**
- (5) Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship.**

**(A) For purposes of this subparagraph, "unnecessary hardship" means that, owing to special conditions of the property that distinguish it from other properties in the area:**

- (i) No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property; and**
- (ii) The proposed use is a reasonable one.**

**(B) If the criteria in subparagraph (A) are not established, an unnecessary hardship will be deemed to exist if, and only if, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable a reasonable use of it.**

The definition of "unnecessary hardship" set forth in subparagraph (5) shall apply whether the provision of the ordinance from which a variance is sought is a restriction of use, a dimensional or other limitation on a permitted use, or any other requirement of the ordinance.

New Hampshire case law has established, on the basis of the preceding statute and/or its precedent versions, that all of the following requirements must be satisfied in order for a Zoning Board of Adjustment to grant a variance. You must demonstrate by your answers in the following blanks that you do or will meet each and every requirement; do not presume or say that a requirement does not apply, or your request will be disqualified. Note that your answers here can be summary in nature, and you can provide additional testimony at the time of your hearing.

1. Granting of the requested variance will not be contrary to the public interest, because:  
(Explain why you feel this to be true—keeping in mind that the proposed use must not conflict with the explicit or implicit purpose of the ordinance and that it must not alter the essential character of the neighborhood, threaten public health, safety, or welfare, or otherwise injure “public rights.”)

The structure being added is for the use of our growing family. By doing this we will be able to continue living in a family home that was built in 1970 by my grandparents.

2. The proposed use will observe the spirit of the ordinance, because:  
(Explain why you feel this to be true—keeping in mind that, as detailed above, the proposed use must not conflict with the explicit or implicit purpose of the ordinance and must not alter the essential character of the neighborhood, threaten public health, safety, or welfare, or otherwise injure “public rights.”)

The intent of the request is to persevere and enhance the quality of life for the seigny's while adding value to the property and avoiding undue population.

3. Substantial justice would be done to the property-owner by granting the variance, because:  
(Explain why you believe this to be true—keeping in mind that the benefits to the applicant must not be outweighed by harm to the general public or to other individuals.)

It will provide our family with more room to grow as a family while staying in a family built home.

4. The proposed use will not diminish the values of surrounding properties, because:  
(Explain why you believe this to be true—keeping in mind that the Board will consider expert testimony but also may consider other evidence of the effect on property values, including personal knowledge of the members themselves.)

It will add to the value of surrounding properties as we are increasing the size of the residence and updating.

5. Special conditions exist such that literal enforcement of the ordinance results in **unnecessary hardship**, because:

(Explain why you believe this to be true—keeping in mind that you must establish that, because of the special conditions of the property in question, the restriction applied to the property by the ordinance does not serve the purpose of the restriction in a “fair and reasonable” way *and also* that you must establish that the special conditions of the property cause the proposed use to be reasonable. Alternatively, you can establish that, because of the special conditions of the property, there is no reasonable use that can be made of the property that would be permitted under the ordinance.)

By doing this addition we will not be encroaching any further on the setback as the structure will remain the same as we are just adding a second story. Therefore, this addition would not make the existing structure more non-conforming. We are looking to add updating to the existing rooms and updating of the property to modern standards and to allow more room for our growing family.

Requests before the Zoning Board of Adjustment may require connection to the municipal sewer system. Please contact the Town Engineer's Office prior to submittal of this application to determine if connection is required or will be allowed, together with the procedure for such application.



# TOWN OF HUDSON

## Land Use Division



12 School Street · Hudson, New Hampshire 03051 · Tel: 603-886-6008 · Fax: 603-594-1142

### Zoning Determination #21-005R1

March 2, 2021

Anyssa Sevigny  
52 Belknap Rd  
Hudson, NH 03051

Re: **52 Belknap Rd Map 191 Lot 099-000**  
**District: Residential Two (R-2)**

Dear Ms. Sevigny,

This is a revised Zoning Determination to #21-005 sent January 15, 2021.

**Request:**

You indicate that you would like to add a second story to your existing home, with no increase of footprint.

**Zoning Review / Determination:**

Your structure (house and garage) are existing non-conforming (grandfathered) in regards to front setback requirements. 50 ft is required per Table of Minimum Dimensional Requirements §334-27.

Upon a review/reconsideration of my prior determination, I determine that a second floor addition would need to conform to §334-31.A Alteration and expansion of nonconforming structures: *"A nonconforming structure may not be altered or expanded, except by variance. A nonconforming structure may be altered, reconstructed, externally or structurally modified, provided that such alterations, reconstruction, extension or structural modification does not make any portion or portions of the existing structure more nonconforming."* **Thereby would need a variance.**

To continue with your proposal you would need to start with a Variance application (link):  
<https://www.hudsonnh.gov/zoning/page/variance>

*NOTE: this determination may be appealed to the Hudson Zoning Board of Adjustment within 30 days of the receipt of this letter.*



Sincerely,

*Bruce Buttrick*

*Bruce Buttrick*

Zoning Administrator/Code Enforcement Officer

(603) 816-1275

[bbuttrick@hudsonnh.gov](mailto:bbuttrick@hudsonnh.gov)

cc: Public Folder  
D. Hebert, Building Official  
D. Groth, Town Planner  
File

*NOTE: this determination may be appealed to the Hudson Zoning Board of Adjustment within 30 days of the receipt of this letter.*

191 099 000  
MAP LOT SUB

1 of 1 RESIDENTIAL  
CARD Hudson

Total Card / Total Parcel  
APPRAISED: 232,400 / 232,400  
USE VALUE: 232,400 / 232,400  
ASSESSED: 232,400 / 232,400

**PROPERTY LOCATION**

No	Alt No	Direction/Street/City
52		BELKNAP RD, HUDSON

**OWNERSHIP**

Owner 1: SEVIGNY, KAREN	Unit #:
Owner 2:	
Owner 3:	
Street 1: 52 BELKNAP ROAD	
Street 2:	
Twn/City: HUDSON	
St/Prov: NH	Cntry: Own Occ:
Postal: 03051	Type:

**PREVIOUS OWNER**

Owner 1: TESSIER, OLIVE -	
Owner 2: -	
Street 1: 52 BELKNAP ROAD	
Twn/City: HUDSON	
St/Prov: NH	Cntry:
Postal: 03051	

**NARRATIVE DESCRIPTION**

This parcel contains .689 ACRES of land mainly classified as IN-LAW with a RANCH Building built about 1970, having primarily VINYL Exterior and 1128 Square Feet, with 2 Units, 2 Baths, 0 3/4 Bath, 0 HalfBath, 5 Rooms, and 2 Bdrms.

**OTHER ASSESSMENTS**

Code	Descrip/No	Amount	Com. Int

**PROPERTY FACTORS**

Item	Code	Description	%	Item	Code	Description
Z	TR	TOWN RES		water	3	TOWN WATE
o				Sewer	2	TOWN SEWE
n				Electri		
Census:				Exmpt		
Flood Haz: C						
D				Topo	1	LEVEL
s				Street		
t				Gas:		

**LAND SECTION (First 7 lines only)**

Use Code	Description	LUC Fact	No of Units	Depth / Price/Units	Unit Type	Land Type	LT Factor	Base Value	Unit Price	Adj	Neigh	Neigh Inlu	Neigh Mod	Infl 1 %	Infl 2 %	Infl 3 %	Appraised Value	Alt Class %	Spec Land	J Code	Fact	Use Value	Notes
108	IN-LAW		0.689		SITE ACRE	SITE		0	95,000.	1.32	RD						86,137					86,100	

**IN PROCESS APPRAISAL SUMMARY**

Use Code	Land Size	Building Value	Yard Items	Land Value	Total Value	
108	0.689	144,700	1,600	86,100	232,400	
<b>Total Card</b>		0.689	144,700	1,600	86,100	232,400
<b>Total Parcel</b>		0.689	144,700	1,600	86,100	232,400
Source: Market Adj Cost		Total Value per SQ unit /Card:		206.03	/Parcel: 206.03	

**PREVIOUS ASSESSMENT**

Tax Yr	Use	Cat	Bldg Value	Yrd Items	Land Size	Land Value	Total Value	Asses'd Value	Notes	Date
2020	108	FV	144,700	1600	.689	86,100	232,400	232,400	Year End Roll	8/27/2020
2020	108	JB	144,700	1600	.689	86,100	232,400	232,400	Year End Roll	5/6/2020
2019	108	FV	144,700	1600	.689	86,100	232,400	232,400	Year End Roll	9/16/2019
2019	108	JB	150,200	3900	.689	86,100	240,200	240,200	Year End Roll	5/8/2019
2018	108	FV	150,200	3900	.689	86,100	240,200	240,200	Year End Roll	8/27/2018
2018	108	JB	150,200	3900	.689	86,100	240,200	240,200	Year End Roll	5/9/2018
2017	108	FV	150,200	3900	.689	86,100	240,200	240,200	Year End Roll	10/26/2017
2017	108	PV	150,200	3900	.689	86,100	240,200	240,200	Year End Roll	8/28/2017

**SALES INFORMATION**

Grantor	Legal Ref	Type	Date	Sale Code	Sale Price	V	Tst	Verif	Notes
TESSIER, OLIVE,	316-2014-ET-2071-349	9	1/27/2016	ESTATE SALE		No	No		
			3/26/1970			No	No		

**BUILDING PERMITS**

Date	Number	Descrip	Amount	C/O	Last Visit	Fed Code	F. Descrip	Comment
9/14/2015	2015-00858	MECHANIC	6,500	C			FURNACE	
9/30/2010	2010-00517	AB-GRND	4,000	C			Install 24 ft AG P	

**ACTIVITY INFORMATION**

Date	Result	By	Name
7/19/2019	Measured	18	KRT1
12/9/2011	Measured	14	APPR TECH 4
3/28/2011	Permit Visit	14	APPR TECH 4
8/17/2007	Measured	8	ASMTN TECH I
4/19/2001	Meas/Inspect	0	PATRIOT
5/18/1991	Inspected	2	AVITAR

Sign: \_\_\_\_\_



**Patriot Properties Inc.**

**USER DEFINED**

Prior Id # 1:	0049
Prior Id # 2:	0057
Prior Id # 3:	0000
Prior Id # 1:	
Prior Id # 2:	
Prior Id # 3:	
Prior Id # 1:	
Prior Id # 2:	
Prior Id # 3:	
ASR Map:	
Fact Dist:	
Reval Dist:	
Year:	
LandReason:	
BldReason:	
CivilDistrict:	
Ratio:	

PRINT

Date	Time
03/08/21	13:27:03

LAST REV

Date	Time
08/08/19	11:20:11

6803

Total AC/HA:	0.68900	Total SF/SM:	30013	Parcel LUC:	108	IN-LAW	Prime NB Desc:	RES AV/FR	Total:	86,137	Spl Credit:		Total:	86,100
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Disclaimer: This Information is believed to be correct but is subject to change and is not warranted.

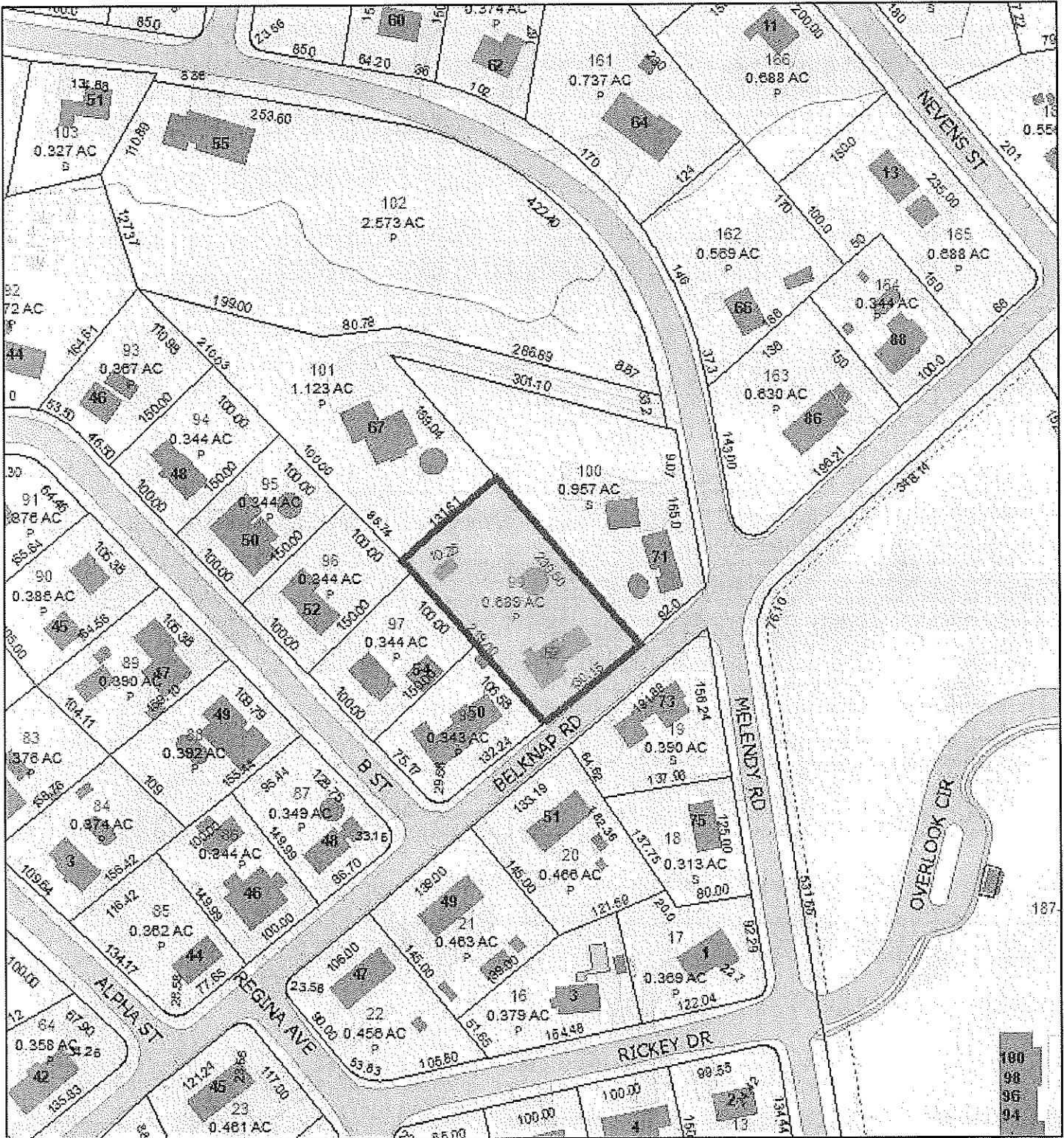
Database: AssessPro - Hudson

amym

2019



# 52 Belknap Rd (Map/Lot 191-099-000)



March 8, 2021

Legend

----- Easement\_Lines

▭ Parcels

1:1,775

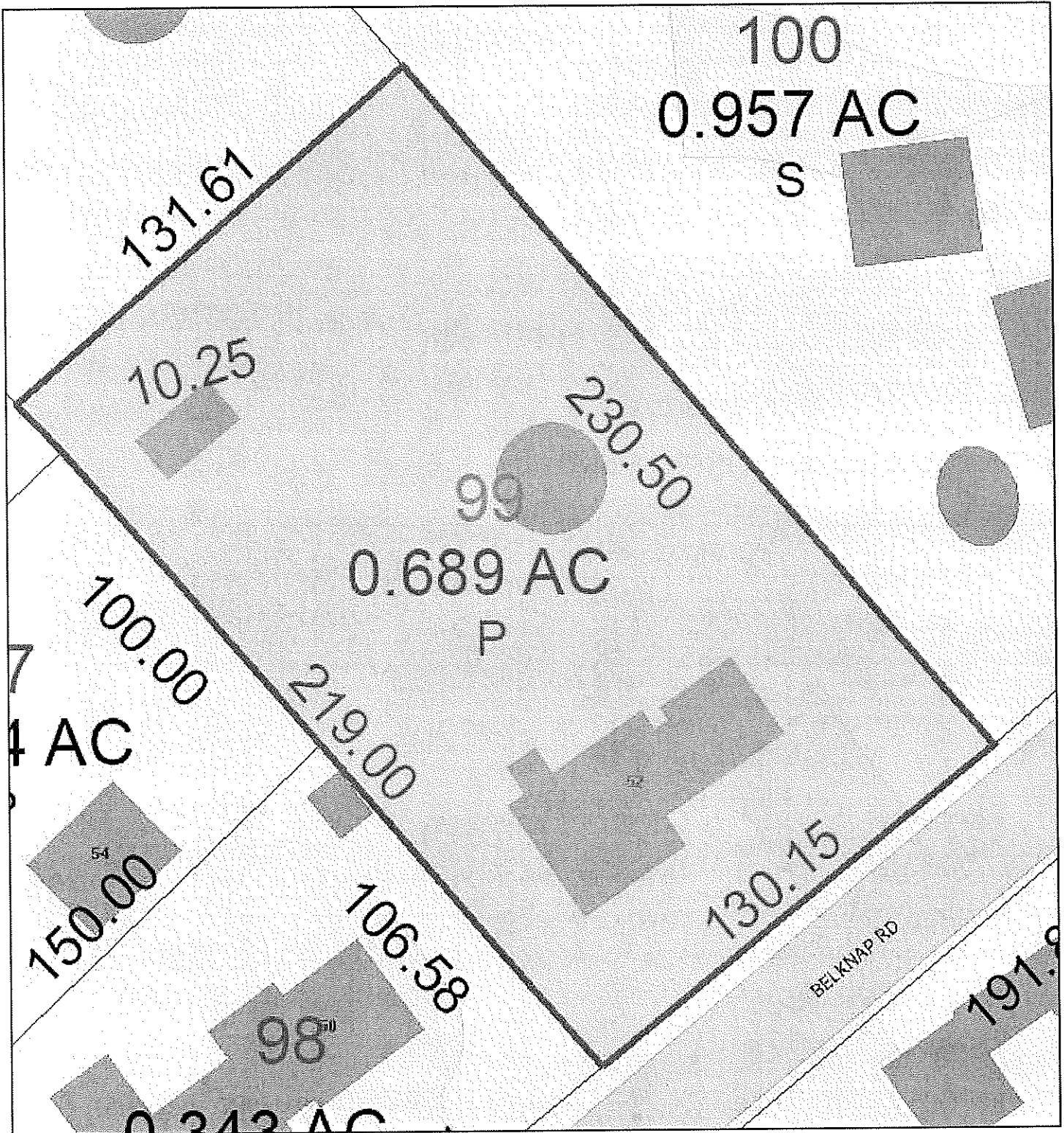
0 0.015 0.03 0.06 mi

0 0.0225 0.045 0.09 km





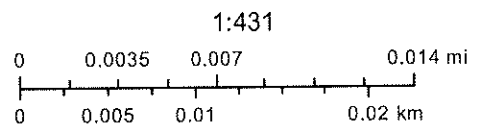
# GIS PLOT PLAN



March 8, 2021

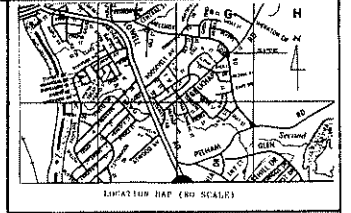
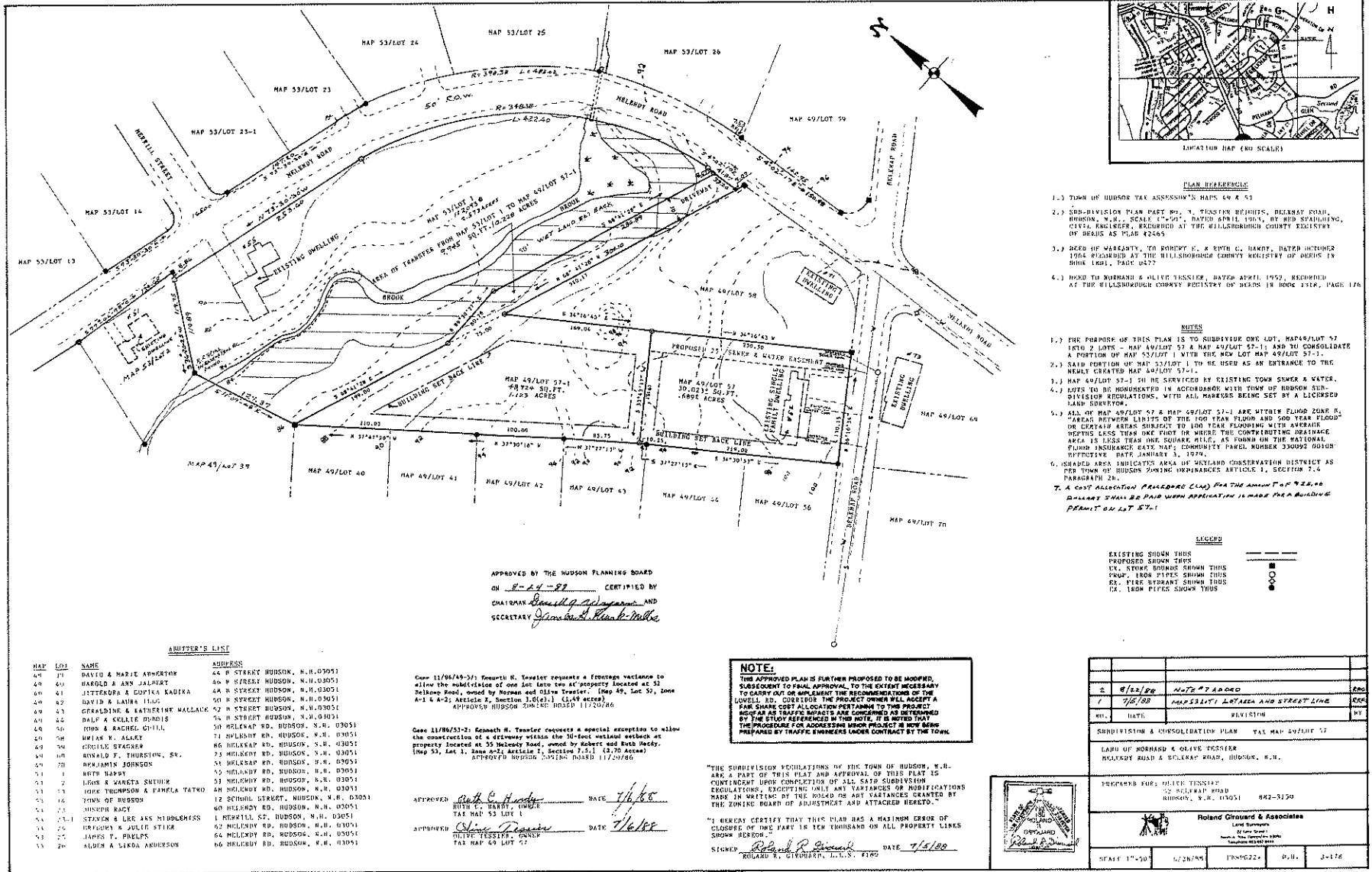
Legend

 Parcels



NEW LOT 09/10/1

OLD LOT 5/15/1



- PLAN REFERENCE**
- 1.) TOWN OF HUDSON TAX ASSESSMENT MAPS 49 & 51
  - 2.) SUB-DIVISION PLAN MAP NO. 3, TOWN OF HUDSON, HELMSLEY ROAD, HUDSON, N.H., SCALE 1"=50', DATED APRIL 1967, BY RED SPANGLING, CIVIL ENGINEER, RECORDED AT THE HILLSBOROUGH COUNTY REGISTERY OF DEEDS AS PLAN 42453
  - 3.) DEED OF WARRANTY, TO ROBERT C. & OLIVE G. TESSLER, DATED OCTOBER 1964 RECORDED AT THE HILLSBOROUGH COUNTY REGISTERY OF DEEDS IN BOOK 1861, PAGE 1477
  - 4.) DEED TO ROBERT & OLIVE TESSLER, DATED APRIL 1962, RECORDED AT THE HILLSBOROUGH COUNTY REGISTERY OF DEEDS IN BOOK 1718, PAGE 174

- NOTES**
- 1.) THE PURPOSE OF THIS PLAN IS TO SUBDIVIDE ONE LOT, MAP 49/LOT 57 INTO 2 LOTS - MAP 49/LOT 57 & MAP 49/LOT 57-1 AND TO CONSOLIDATE A PORTION OF MAP 49/LOT 1 WITH THE NEW LOT MAP 49/LOT 57-1.
  - 2.) SAID PORTION OF MAP 49/LOT 1 TO BE USED AS AN ENTRANCE TO THE NEWLY CREATED MAP 49/LOT 57-1.
  - 3.) MAP 49/LOT 57-1 SH BE SERVICED BY EXISTING TOWN SEWER & WATER.
  - 4.) LOTS TO BE DIMENSIONED IN ACCORDANCE WITH TOWN OF HUDSON SUB-DIVISION REGULATIONS, WITH ALL MARGINS BEING SET BY A LICENSED LAND SURVEYOR.
  - 5.) ALL OF MAP 49/LOT 57 & MAP 49/LOT 57-1 ARE WITHIN FLOOD ZONE R, "AREAS BETWEEN LIMITS OF THE 100 YEAR FLOOD AND 500 YEAR FLOOD" OR CERTAIN AREAS SUBJECT TO 100 YEAR FLOODING WITH AVERAGE DEPTH LESS THAN ONE FOOT OR WHERE THE CONTRASTING DEGREE AREA IS LESS THAN ONE SQUARE MILE, AS SHOWN ON THE NATIONAL FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NUMBER 330092 HUDSON DISTRICTIVE DATE JANUARY 3, 1974.
  - 6.) SHADDED AREA INDICATES AREA OF WETLAND OBSERVATION DISTRICT AS PER TOWN OF HUDSON ZONING ORDINANCES ARTICLE 1, SECTION 7.4 PARAGRAPH 24.
  7. A COST ALLOCATION PROCEDURE PLAN FOR THE AMOUNT OF \$22,000 DOLLARS SHALL BE PAID WHEN APPLICATION IS MADE FOR A BUILDING PERMIT ON LOT 57-1.

APPROVED BY THE HUDSON PLANNING BOARD  
ON 8-24-88 CERTIFIED BY  
CHAIRMAN *[Signature]* AND  
SECRETARY *[Signature]*

Case 11/86/88-35 Kenneth H. Tessler requests a frontage variance to allow the subdivision of one lot into two at property located at 51 Helmsley Road, owned by Norman and Olive Tessler. [Map 49, Lot 57, Zone A-1 & A-2] Article 8, Section 1.0(4)(c). (1.549 acres)  
APPROVED HUDSON ZONING BOARD 11/25/86

Case 11/86/88-32 Kenneth H. Tessler requests a special exception to allow the construction of a driveway within the 30-foot setback at property located at 55 Helmsley Road, owned by Robert and Ruth Hedy. [Map 55, Lot 1, Zone A-2] Article 1, Section 7.3(1) (4.70 Acres)  
APPROVED HUDSON ZONING BOARD 11/25/86

**NOTE:**  
THE APPROVED PLAN IS FURTHER PROPOSED TO BE MODIFIED, SUBJECT TO FINAL APPROVAL, TO THE EXTENT NECESSARY TO CARRY OUT OR IMPLEMENT THE RECOMMENDATIONS OF THE ZONING BOARD. CONSIDER THE PROJECT OWNER WILL ACCEPT A PARK SHARE COST ALLOCATION PERMIT TO THE PROJECT. IF ANY TRAFFIC IMPACTS ARE CONCERNED OR DETERMINED BY THE STUDY REFERENCED IN THIS NOTE, IT IS NOTED THAT THE PROPOSAL FOR ADDRESSING SUCH PROJECT IS NOW BEING PREPARED BY TRAFFIC ENGINEERS UNDER CONTRACT BY THE TOWN.

"THE SUBDIVISION REGULATIONS OF THE TOWN OF HUDSON, N.H. ARE A PART OF THIS PLAN AND APPROVAL OF THIS PLAN IS CONTINGENT UPON COMPLIANCE OF ALL SAID SUBDIVISION REGULATIONS, EXCEPTING ONLY ANY VARIANCES OR MODIFICATIONS MADE IN WRITING BY THE BOARD OR ANY VARIANCES GRANTED BY THE ZONING BOARD OF ADJUSTMENT AND ATTACHED HERETO."

"I HEREBY CERTIFY THAT THIS PLAN HAS A MAXIMUM ERROR OF CLOSED OF ONE PART IN TEN THOUSAND ON ALL PROPERTY LINES SHOWN HEREON."  
SIGNED *[Signature]* DATE 7/5/88  
ROLAND G. GIBSON, L.L.S., P.L.S.

**ABUTTER'S LIST**

MAP	LOT	NAME	ADDRESS
47	17	DAVID & MARIE ANKERTON	44 W STREET HUDSON, N.H. 03051
49	40	HAROLD & ANN JALMIET	46 W STREET HUDSON, N.H. 03051
49	41	JITTRARA & DUPITA KADIKIA	48 W STREET HUDSON, N.H. 03051
49	42	DAVID & LARA HILL	50 W STREET HUDSON, N.H. 03051
49	43	GERALDINE & MATHEW WALLACE	52 W STREET HUDSON, N.H. 03051
49	44	DALF & KRILLIE DUNDIS	54 W STREET HUDSON, N.H. 03051
49	56	JOHN & RACHEL CHILL	58 BELKAP RD. HUDSON, N.H. 03051
49	58	WELFA R. ALLEY	71 BELKAP RD. HUDSON, N.H. 03051
49	59	OSWELL STACKER	86 BELKAP RD. HUDSON, N.H. 03051
49	60	RONALD F. THURSTON, SR.	73 BELKAP RD. HUDSON, N.H. 03051
49	70	BERNARD JOHNSON	51 BELKAP RD. HUDSON, N.H. 03051
71	1	BETH HADY	53 BELKAP RD. HUDSON, N.H. 03051
71	2	LEON & VANETA SUTHER	53 BELKAP RD. HUDSON, N.H. 03051
71	13	JOHN THOMPSON & FANILA TATNO	48 BELKAP RD. HUDSON, N.H. 03051
71	14	TOWN OF HUDSON	12 SPRING STREET, HUDSON, N.H. 03051
71	15	HUDSON RAY	40 BELKAP RD. HUDSON, N.H. 03051
71	17-1	STEVEN & LEE ANN NIDDERLHNS	1 NEWELL ST. HUDSON, N.H. 03051
71	24	IRISBY & JULIE STEIN	62 BELKAP RD. HUDSON, N.H. 03051
71	27	JAMES F. PRELPS	64 BELKAP RD. HUDSON, N.H. 03051
71	28	ALLEN & LARA ANDERSON	66 BELKAP RD. HUDSON, N.H. 03051

APPROVED *[Signature]* DATE 7/6/88  
TOWN CLERK, TOWN OF HUDSON  
TAX MAP 53 LOT 1

APPROVED *[Signature]* DATE 7/6/88  
TOWN ENGINEER, TOWN OF HUDSON  
TAX MAP 49 LOT 57



NO.	DATE	REVISION	BY
1	7/5/88	MAP 55/LOT 1 LOT AREA AND STREET LINE	CGS
2	8/22/88	NOTE #7 ADDED	CGS

SUBDIVISION & CONSOLIDATION PLAN TAX MAP 49/LOT 57  
LAWYER: NORMAN & OLIVE TESSLER  
BELKAP ROAD & BELKAP ROAD, HUDSON, N.H.

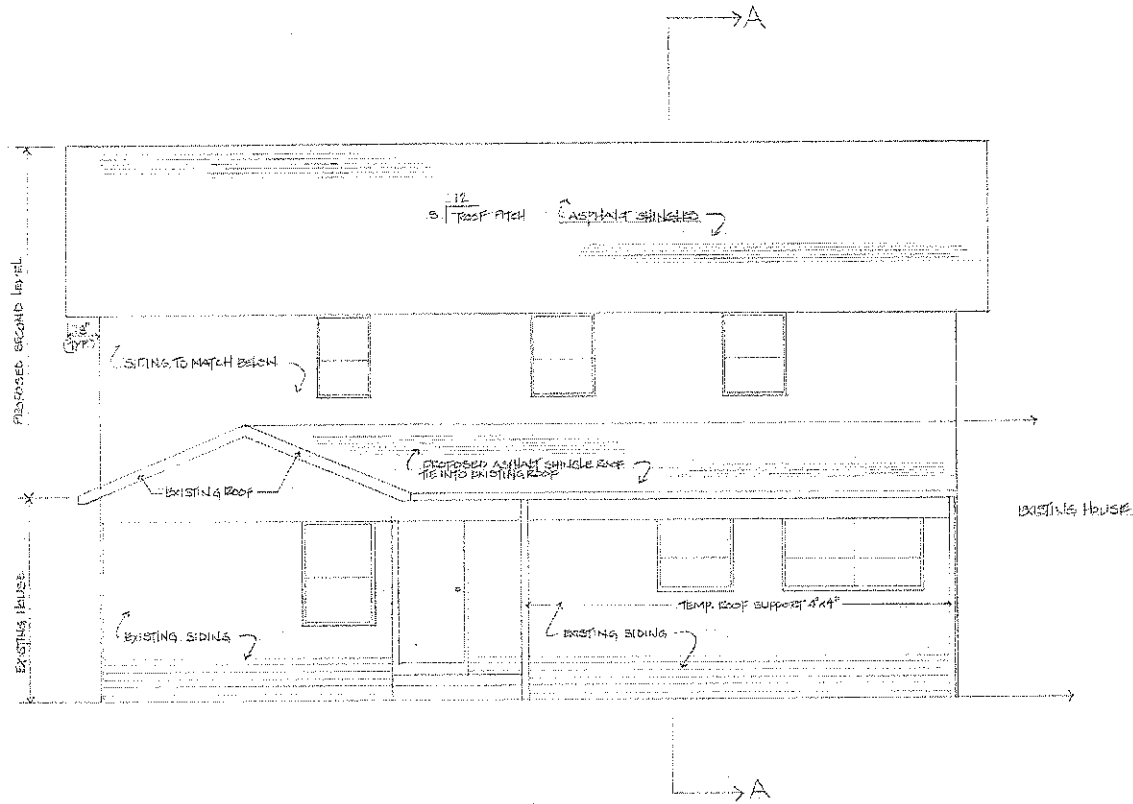
PREPARED FOR: OLIVE TESSLER  
12 BELKAP ROAD  
HUDSON, N.H. 03051 882-3130

**Roland Gibson & Associates**  
Land Surveyors  
27 New Street  
Hudson, N.H. 03051  
Phone: 882-3130

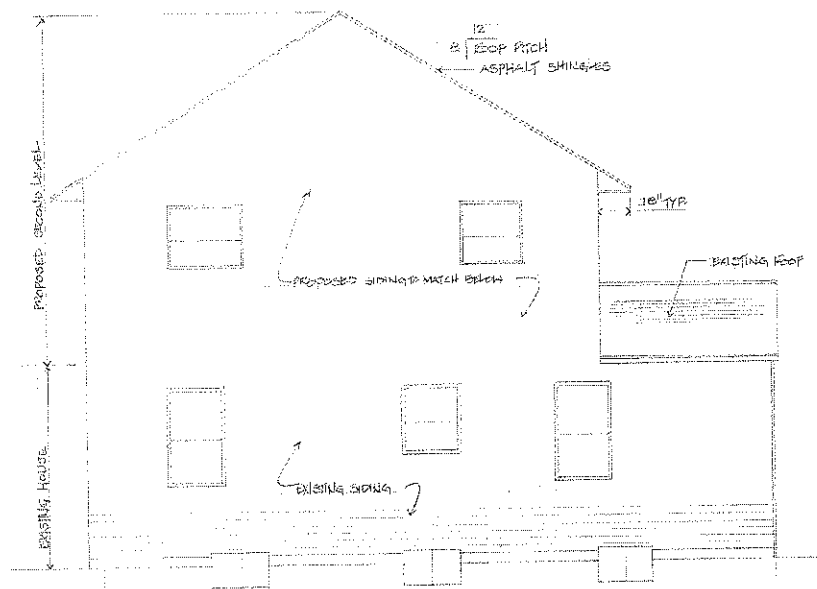
STATE 1"=50' 1/2"=200' 1"=400' 1"=800' 1"=1600'

H.C.R.D. PLAN # 22482

7/20/88

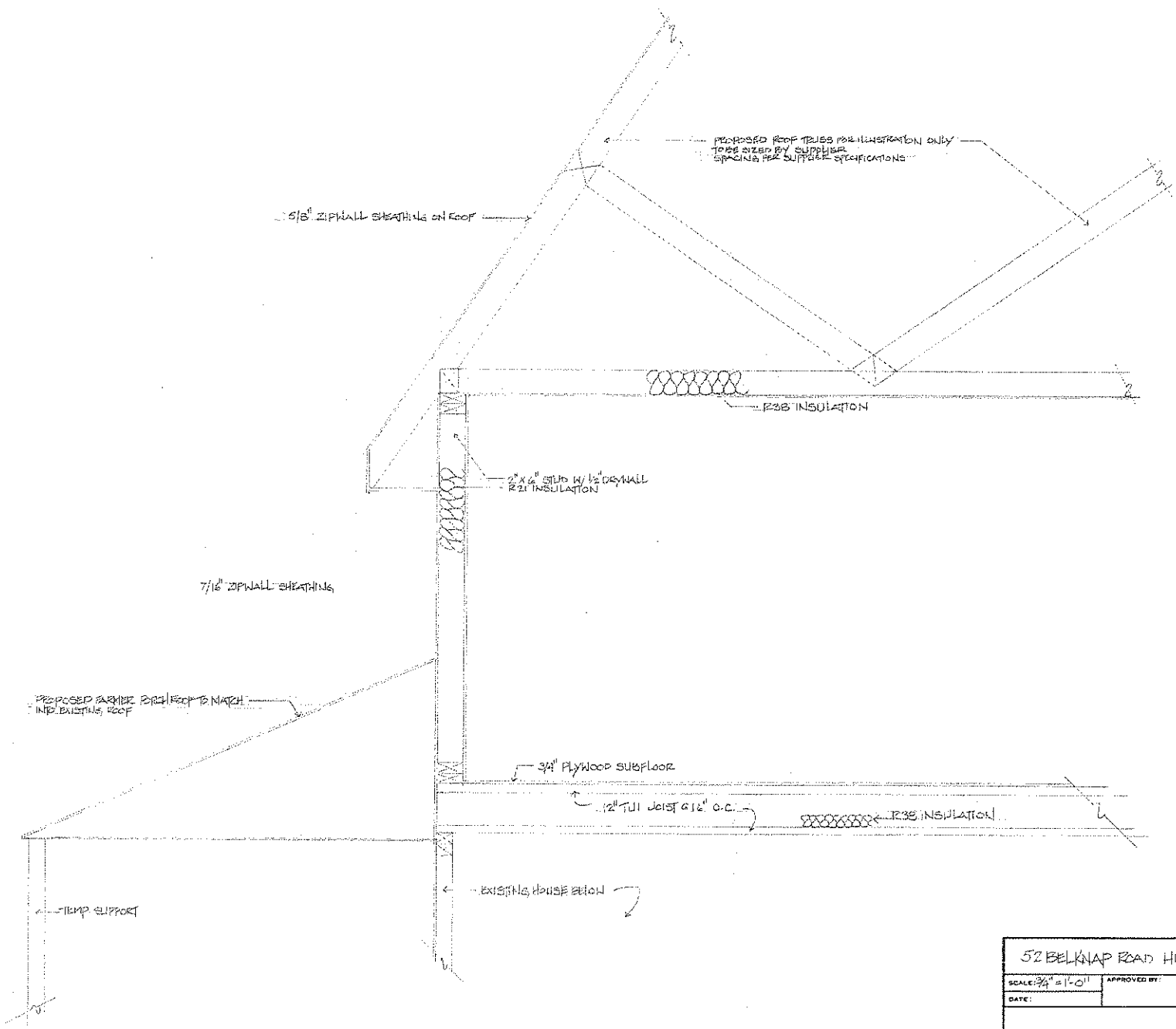


52 BELKNAP ROAD HUDSON, NH		
SCALE: 1/4" = 1'-0"	APPROVED BY:	DRAWN BY:
DATE:		REVISED:
FRONT ELEVATION W/ 2 <sup>ND</sup> FLOOR ADDITION		DRAWING NUMBER

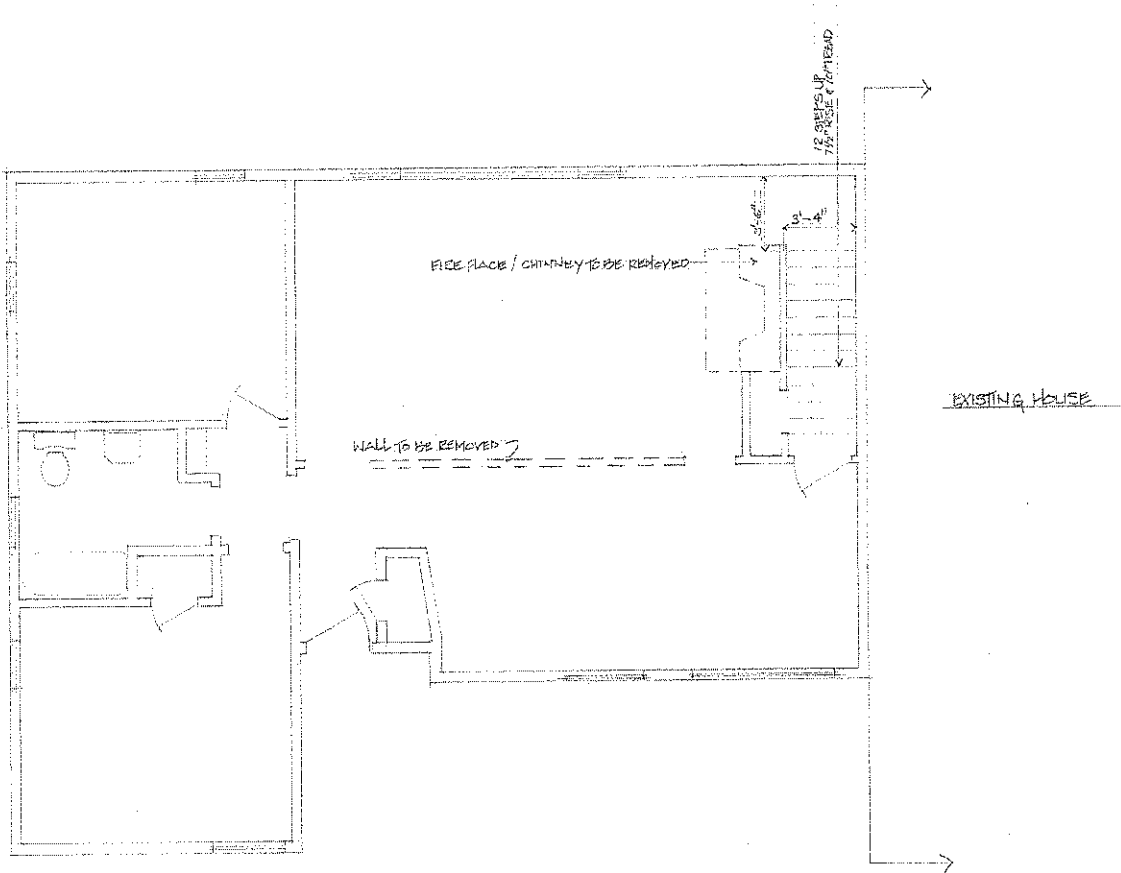


52 BELKNAP ROAD HUDSON, NH		
SCALE: 1/4" = 1'-0"	APPROVED BY:	DRAWN BY:
DATE:		REVISED:
LEFT SIDE ELEVATION		DRAWING NUMBER





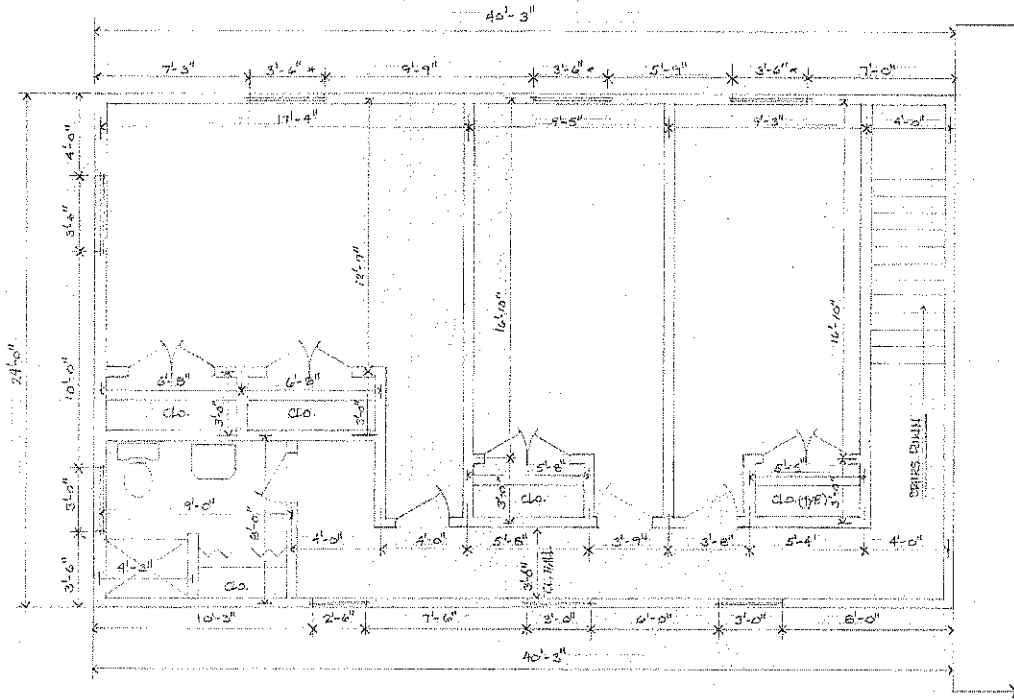
52 BELKNAP ROAD HUDSON, NH		
SCALE: 3/4" = 1'-0"	APPROVED BY:	DRAWN BY:
DATE:		REVISED:
SECTION A-A		DRAWING NUMBER



52 BELKNAP ROAD HUDSON, NH			
SCALE: 1/8" = 1'-0"	APPROVED BY:	DRAWN BY:	
DATE:		REVISED:	
EXISTING FIRST FLOOR			DRAWING NUMBER

X = EXCESS WINDOW OPENED

DIMENSIONS MAY CHANGE DUE TO FIELD CONDITIONS



EXISTING HOUSE BELOW

52 BELKNAP ROAD HUDSON, NH		
SCALE: 1/4" = 1'-0"	APPROVED BY:	DRAWN BY:
DATE:		REVISED:
PROPOSED SECOND FLOOR PLAN		
		DRAWING NUMBER

Printed  
3/10/2021  
9:02AM  
Created  
3/10/2021  
8:53 AM

# Transaction Receipt

Receipt# 632,676  
tgoodwyn

**Town of Hudson, NH**  
12 School Street  
Hudson, NH 03051-4249

	<u>Description</u>	<u>Current Invoice</u>	<u>Payment</u>	<u>Balance Due</u>
1.00	Zoning Application- 03/25/21 ZBA Meeting 52 Belknap Rd Map/Lot 191-099-000 Variance Application	0.00	167.6000	0.00
			<b>Total:</b>	<b>167.60</b>

<u>Remitter</u>	<u>Pay Type</u>	<u>Reference</u>	<u>Tendered</u>	<u>Change</u>	<u>Net Paid</u>
Anyssa Sevigny	CHECK	CHECK # 0125	167.60	0.00	167.60
			<b>Total Due:</b>		<b>167.60</b>
			<b>Total Tendered:</b>		<b>167.60</b>
			<b>Total Change:</b>		<b>0.00</b>
			<b>Net Paid:</b>		<b>167.60</b>





# TOWN OF HUDSON

## Land Use Division



12 School Street • Hudson, New Hampshire 03051 • Tel: 603-886-6008 • Fax: 603-594-1142

### Zoning Administrator Staff Report

Meeting Date: March 25, 2021 *88 3-16-21*

**Case 197-174 (03-25-21):** Richard L. Garland, 3 Spruce St., Hudson, NH [Map 197, Lot 174-000; Zoned Town Residence (TR)] requests the following:

- a. An Equitable Waiver of Dimensional Requirement per RSA 674:33-a: to allow an existing 15' x 7' shed to remain in its current location which encroaches into the side and rear yard setbacks 9' and 3' respectively, where 15 feet is required as shown on the Proposed Plot Plan dated July 16, 2020. [HZO Article VII, Dimensional Requirements, §334-27, Table of Minimum Dimensional Requirements].

**Address:** 3 Spruce St

**Zoning district:** Town Residence (TR)

#### Summary:

Applicant requests an Equitable Waiver of Dimensional Requirement per RSA 674:33-a: due to the location of an existing shed within the side and rear setback.

#### Property description:

Developed conforming lot of record. Single family use.

#### HISTORY:

The 15 x 7 shed (105 sq ft) doesn't require a B.P. (<200 sqft) has been in the setbacks since at least 2010, refer to attachment "B".

No Code Enforcement actions, refer to attachment "C".

Building Permit # 128-79 issued Sept 28, 1978 for 8' x 16' "tool shed".

#### Attachments:

"A" Assessing record.

"B" 2010 aerial photo showing shed.

"C" MuniSmart Code Enforcement by address.

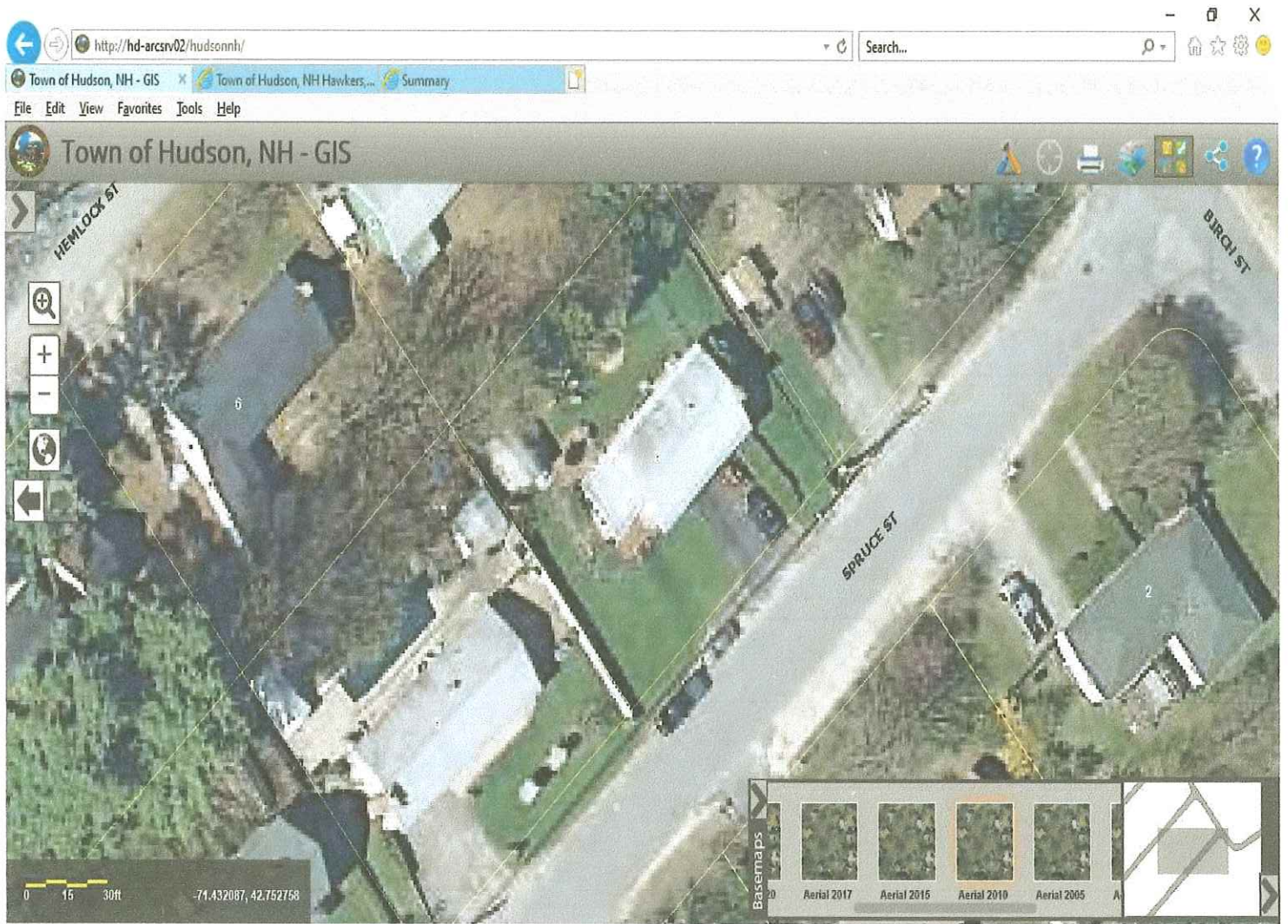
"D" B.P. # 128-79 for 8' x 16' tool shed.

**Previous Assessments**

Year	Code	Building	Yard Items	Land Value	Acres	Special Land	Total
2020	101 - ONE FAMILY	146,900	1,300	84,600	0.23	0.00	232,800
2020	101 - ONE FAMILY	146,900	1,300	84,600	0.23	0.00	232,800
2019	101 - ONE FAMILY	146,900	1,300	84,600	0.23	0.00	232,800
2019	101 - ONE FAMILY	146,500	1,300	84,600	0.23	0.00	232,400
2018	101 - ONE FAMILY	146,500	1,300	84,600	0.23	0.00	232,400
2018	101 - ONE FAMILY	146,500	1,300	84,600	0.23	0.00	232,400
2017	101 - ONE FAMILY	146,500	1,300	84,600	0.23	0.00	232,400
2017	101 - ONE FAMILY	132,400	1,300	80,700	0.23	0.00	214,400
2017	101 - ONE FAMILY	146,500	1,300	84,600	0.23	0.00	232,400
2016	101 - ONE FAMILY	132,400	1,300	80,700	0.23	0.00	214,400
2016	101 - ONE FAMILY	132,400	1,300	80,700	0.23	0.00	214,400
2015	101 - ONE FAMILY	132,400	1,300	80,700	0.23	0.00	214,400
2015	101 - ONE FAMILY	132,400	1,300	80,700	0.23	0.00	214,400
2014	101 - ONE FAMILY	132,400	1,300	80,700	0.23	0.00	214,400
2014	101 - ONE FAMILY	132,400	1,300	80,700	0.23	0.00	214,400
2013	101 - ONE FAMILY	132,400	1,300	80,700	0.23	0.00	214,400
2013	101 - ONE FAMILY	132,400	1,300	80,700	0.23	0.00	214,400
2012	101 - ONE FAMILY	132,400	1,300	80,700	0.23	0.00	214,400
2012	101 - ONE FAMILY	142,200	1,200	113,000	0.23	0.00	256,400
2011	101 - ONE FAMILY	127,800	1,200	113,000	0.23	0.00	242,000
2011	101 - ONE FAMILY	127,800	1,200	113,000	0.23	0.00	242,000
2010	101 - ONE FAMILY	127,800	1,200	113,000	0.23	0.00	242,000
2010	101 - ONE FAMILY	127,800	1,200	113,000	0.23	0.00	242,000
2009	101 - ONE FAMILY	127,800	1,200	113,000	0.23	0.00	242,000
2008	101 - ONE FAMILY	127,800	1,200	113,000	0.23	0.00	242,000
2008	101 - ONE FAMILY	127,800	1,200	113,000	0.23	0.00	242,000
2007	101 - ONE FAMILY	127,800	1,200	113,000	0.23	0.00	242,000
2007	101 - ONE FAMILY	138,600	700	88,400	0.23	0.00	227,700
2006	101 - ONE FAMILY	138,600	700	88,400	0.23	0.00	227,700
2006	101 - ONE FAMILY	138,600	700	88,400	0.23	0.00	227,700
2005	101 - ONE FAMILY	138,600	700	88,100	0.22	0.00	227,400
2005	101 - ONE FAMILY	138,600	700	88,100	0.22	0.00	227,400
2004	101 - ONE FAMILY	138,600	700	88,100	0.22	0.00	227,400
2004	101 - ONE FAMILY	115,200	400	68,900	0.22	0.00	184,500
2003	101 - ONE FAMILY	115,200	400	68,900	0.22	0.00	184,500
2003	101 - ONE FAMILY	115,200	400	68,900	0.22	0.00	184,500
2002	101 - ONE FAMILY	115,200	400	68,900	0.22	0.00	184,500
2002	101 - ONE FAMILY	115,200	400	68,900	0.22	0.00	184,500
2001	101 - ONE FAMILY	72,900	0	44,400		0.00	117,300
2000	101 - ONE FAMILY	70,700	2,200	44,400	0.22	0.00	117,300

A

2010 aerial:



"B"



**Browse Violations**

Street:

[Export to Excel](#)

Violation Number	Violation Date	Street Num	Street Name	Unit	Owner	Map/Lot	
V2018-0097	12/24/2018	8	SPEARE RD		DALE, ALICIA L. DALE, ADAM C.	193-043-000	Zor
V2015-00005	12/10/2014	63	SPEARE RD		PECK, ALLEN K.	186-025-001	Hez
V2015-00120	7/28/2015	68	SPEARE RD		MALING, BRIAN M.	186-017-000	Zor
V2012-00058	3/07/2012	69	SPEARE RD	8	SANTOS, SALEOTINO	186-021-000	Bul
V2015-00069	4/10/2015	87	SPEARE RD		NEISTER, JAMES E.	178-020-000	Dth
V2010-00176	9/29/2010	89	SPEARE RD		CLARKE, JAMES P.	178-018-000	Hez
V2010-00048	5/14/2010	13	SPRUCE ST		GILLIGAN, TIMOTHY J.	197-169-000	Bul
V2011-00179	10/14/2011	0	ST ANTHONY DRIVE				Zor
V2011-00173	10/17/2011	0	ST ANTHONY/BURNS				Zor
V2018-00028	5/08/2018	8	ST FRANCIS PL		LYNCH, DENISE C.	211-003-000	Dth
V2012-00155	11/07/2012	22	ST FRANCIS PL		NUTTALL, SANDRA M.	217-044-000	Bul
V2020-00049	8/21/2020	7	ST LAURENT DR		FAUTEUX, REMI	129-096-000	Dth
V2015-00130	8/21/2015	11	ST LAURENT DR		LATTI, DAVID M.	129-094-000	Zor
V2009-00109	9/02/2009	39	ST LAURENT DR		LESSARD, PAUL G.	LE129-025-000	Bul

Dates: Occurred: 12/24/2018 Issued: //

[Insert](#) [Change](#) [Delete](#)

Owner Information:  
DALE, ALICIA L. DALE, ADAM C.  
0 8 SPEARE ROAD

[Close](#) [Help](#)

"C"





# Town of Hudson, N. H.

Office of Town Building Inspector  
BUILDING PERMIT

No. 128-79

Sept. 28, 1978

This certifies that David + Beverly Carlson Name of Owner

is granted permission to  erect 8' x 16' Tool Shed Description  
 alter  
 repair  
 move

of Building

on premises located at and known as  
to

6501  
Number

3 Spruce St.  
Street or Avenue

MIL - 45/135

and to do things lawful to that end.

This permit is issued on application number \_\_\_\_\_, is subject to the conditions thereof and to the provisions of the Zoning Ordinance, and is void unless work thereunder shall have been commenced within 60 days next after the date hereof.

**This Permit is issued under the condition that this building WILL NOT be occupied until a Certificate of occupancy is obtained from the Building Inspector.**

Value \$ 500.00

Richard E. Millard  
Administrative Officer

Tax \$ 3.00

"D."



TOWN OF HUDSON, N. H.

Application for a Permit To Build

Date Sept 26 19 78

Table with categories: Residential, Commercial, Industrial, Garage, Breezeway, No. of Units

Table with categories: Subdivision, Planning Bd. Approval Sub Div., Water Pollution Approval Sub Div. No., Septic Construction Permit No., Necessary Bonds Posted, Bd. of Adj. Variance Granted If Nec.

Table with categories: New, Alter, Addition, Repair

Permit Number 128-79

Name of Owner DAVID & BEVERLY CARLSON Address 3 SPRUCE ST Tel. 8821305

Land Purchased From RALPH JOHNSON Address MOVED TO FLORIDA

Location 3 SPRUCE ST Property Tax No. 6501

Name of General Contractor NONE Map and Lot No. BIRCHCROFT LOT #11 45/135

Name of Heating Contr. NOT APPLICABLE (N/A) Name of Electrical Contractor N/A

Type of Heat N/A APPLICABLE Name of Plumbing Contractor N/A

Name of Fireplace Mason N/A Name of Masonry Contractor N/A

Material of Building WOOD FRAME Style of Roof SINGLE OFFSET PEAK Roof Covering ASPHALT SHINGLES

Size of Foundation NONE Living Floor Area 128sqft No. of Stories 1

Size of Garage N/A Water N/A Sewer N/A

Foundation Material N/A Width Height Footings Yes No

Fireplace No. of Flues Size Chimney Material

Brief Description of Repair, Alter or Other

CONSTRUCTION OF A TOOL SHED

The undersigned hereby agrees that the proposed work shall be done in accordance with the foregoing statement, and with the plans and specifications submitted; and that the work connected therewith shall conform with the building laws and regulations of the town of Hudson, and that I will notify the Building Inspector when foundation, frame, chimneys, fire-stops and heater-pipes, electrical wiring and plumbing are ready for inspection. I also certify that I have been authorized by the owner to apply for this permit.

OVER Sketch of building, show streets set back from property lines on all sides on other side.

Owner's Signature David A. Carlson Contractor's Signature N/A Address 3 SPRUCE ST HUDSON N.H.

Handwritten red 'D2' mark



# Application For Permit to Build

No. ....

Location

Estimated Cost \$

PERMIT GRANTED

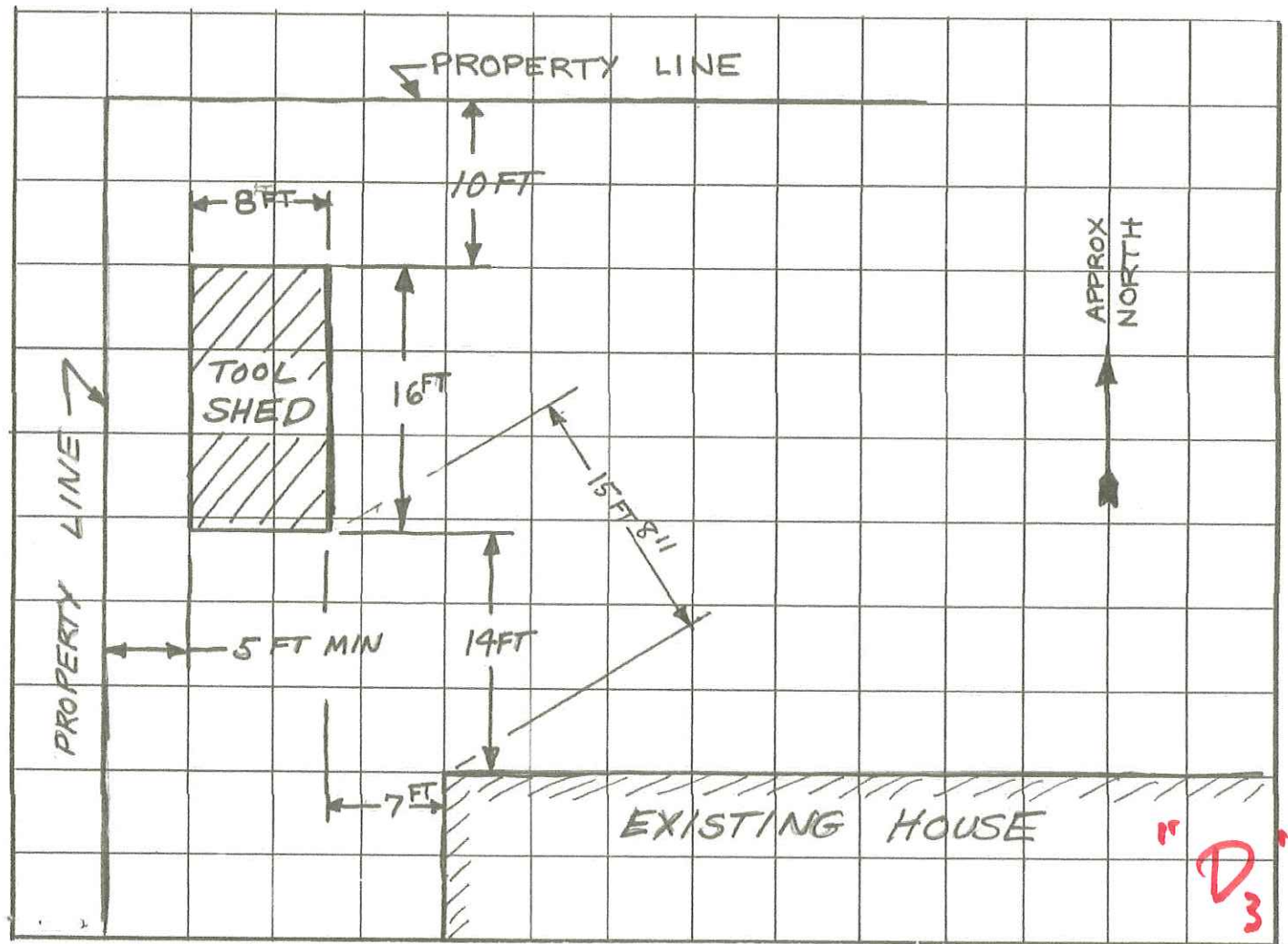
WORK COMPLETED

Building Inspector

## PLOT PLAN

COMMENTS

LOT ..... DAVID + BEVERLY CARLSON Owner's Name  
 SHEET ..... 3 SPRUCE ST. No. Street  
 SCALE 1" = 5 ft. \_\_\_\_\_ District



I, David A. Carlson certify this plot. Date Sept 26 1978

TOWN OF HUDSON

MAR 09 2021

Zoning Department

APPLICATION FOR AN EQUITABLE WAIVER

To Zoning Board of Adjustment  
Town of Hudson

Entries in this box are to be filled out by  
Land Use Division personnel  
Case No. 197-174 (03-25-21)  
Date Filed 3/9/21

Name of Applicant Richard L. Garland Map: 197 Lot: 174 Zoning District: TR

Telephone Number (Home) 978-771-1329 (Work) N/A

Mailing Address 3 Spruce Street

Owner Richard L. and Rayanne C. Garland

Location of Property 3 Spruce Street.  
(Street Address)

[Signature]  
Signature of Applicant

March 1, 2021  
Date

[Signature]  
Signature of Property-Owner(s)

MARCH 1, 2021  
Date

NOTE: Fill in all portions of the Application Form(s) as appropriate. This application is not acceptable unless all required statements have been made. Additional information may be supplied on a separate sheet if space provided is inadequate. If you are not the property owner, you must provide written documentation signed by the property owner(s) to confirm that the property owner(s) are allowing you to speak on his/her/their behalf or that you have permission to seek the described equitable waiver.

Items in this box are to be filled out by Land Use Division personnel  
**COST:**  
Application fee: \$130.00  
\_\_\_\_\_ Direct Abutters x \$4.05 = N/A  
\_\_\_\_\_ Indirect Abutters x \$0.55 = N/A  
**Total amount due:** \$ 130  
Date received: 3/9/21  
Amt. received: \$ 130 — check # 1388  
Receipt No.: 632,682  
Received by: TSG  
By determination of the Zoning Administrator or Building Inspector, the following Departmental review is required:  
\_\_\_\_\_ Engineering \_\_\_\_\_ Fire Department \_\_\_\_\_ Health Officer \_\_\_\_\_ Planner



# TOWN OF HUDSON, NH

## NOTICE TO APPLICANTS

The following **requirements/checklist** pertain to the Town of Hudson, NH, Zoning Board of Adjustment applications, as applicable:

Applicant Initials		Staff Initials
<u>RJG</u>	The applicant must provide 13 copies including the original of the filled-out application form, together with this checklist and any required attachments listed. (Paper clips, no staples)	<u>TG</u>
<u>RJG</u>	Before making the 13 copies, please review the application with the Zoning Administrator or staff.	<u>TG</u>
<u>RJG</u>	A separate application shall be submitted for each request, with a separate application fee for each request i.e.: Variance, Special Exception, Home Occupation Special Exception, Wetland Special Exception, Appeal from an Administrative Decision, and Equitable Waiver but only one abutter notification fee will be charged for multiple requests. If paying by check, make the check payable to the Town of Hudson.	<u>TG</u>
<u>RJG</u>	If the applicant is not the property owner(s), the applicant must provide to the Town written authorization, signed and dated by the property owner(s), to allow the applicant or any representative to apply on the behalf of the property owner(s). (NOTE: if such an authorization is required, the Land Use Division will not process the application until this document has been supplied.)	<u>N/A</u>
<u>RJG</u>	Provide two (2) sets of mailing labels from the abutter notification lists (Pages 4 & 5) prepared by applicant, with the proper mailing addresses, must be dated within (30) thirty days of submittal of the application. The abutter lists can be obtained from the assessor's office. (NOTE: the Land Use Division cannot process your application without the abutter lists. It is the applicant's responsibility to ensure that the abutter lists are complete and correct. If at the time of the hearing any applicable property owner is found not to have been notified because the lists are incomplete or incorrect, the Zoning Board will defer the hearing to a later date, following notification of such abutters.)	<u>TG</u>
_____	A copy of both sides of the assessor's card shall be provided. (NOTE: these copies are available from the Assessor's Office)	<u>TG</u>
_____	A copy of the Zoning Administrator's correspondence confirming either that the requested use is not permitted or that action by the Zoning Board of Adjustment is required must be attached to your application.	<u>TG</u> pending from B. Buttrick
<u>RJG</u> <u>N/A</u>	For a Wetland Special Exception, a letter or a copy of the relevant decision from the Hudson Conservation Commission shall be attached to the application for existing single-family and duplex residential uses. All other Wetland Special Exceptions (multifamily, commercial, or industrial uses) must have letters both from the Conservation Commission and from the Planning Board.	<u>N/A</u>

**PLOT PLAN-**

276 Except for requests pertaining to above-ground pools, sheds, decks and use variances, the application must include a copy of a certified plot plan from a licensed land surveyor. The required plot plan shall include all of the items listed below. Pictures and construction plans will also be helpful. (NOTE: it is the responsibility of the applicant to make sure that all of the requirements are satisfied. The application may be deferred if all items are not satisfactorily submitted):

N/A  
See GIS MAP attached (16)

- a) 276 The plot plan shall be drawn to scale on an 8 1/2" x 11" or 11" x 17" sheet with a North pointing arrow shown on the plan. \_\_\_\_\_
- b) 276 The plot plan shall be up-to date and dated, and shall be no more than three years old. \_\_\_\_\_
- c) 276 The plot plan shall have the signature and the name of the preparer, with his/her/their seal. \_\_\_\_\_
- d) 276 The plot plan shall include lot dimensions and bearings, with any bounding streets and with any rights-of-way and their widths as a minimum, and shall be accompanied by a copy of the GIS map of the property. (NOTE: copies of the GIS map can be obtained at the Land Use Division.) \_\_\_\_\_
- e) 276 The plot plan shall include the location and dimensions of existing or required services, the area (total square footage), all buffer zones, natural features, any landscaped areas, any recreation areas, any safety zones, all signs, streams or other wetland bodies, and any drainage easements. \_\_\_\_\_
- f) 276 The plot plan shall include all existing buildings or other structures, together with their dimensions and the distances from the lot lines, as well as any encroachments. \_\_\_\_\_
- g) 276 The plot plan shall include all proposed buildings, structures, or additions, marked as "PROPOSED," together with all applicable dimensions and encroachments. \_\_\_\_\_
- h) 276 The plot plan shall show the building envelope as defined from all the setbacks required by the zoning ordinance. \_\_\_\_\_
- i) 276 The plot plan shall indicate all parking spaces and lanes, with dimensions. \_\_\_\_\_

**The applicant has signed and dated this form to show his/her awareness of these requirements.**

[Signature]  
Signature of Applicant(s)

March 7, 2021  
Date

The Land Use Division will schedule a public hearing at the next available meeting of the Hudson Zoning Board of Adjustment for your properly-completed application. Applications are scheduled on a first-come, first-served basis. Public notice of the hearing will be posted on public bulletin boards in the Town Hall, the Post Office, and the Rogers Library and also printed in a newspaper, and a notice will be mailed to the applicant, all abutters, and any other parties whom the Board may deem to have an interest.

After the public hearing, the Board will deliberate and then reach a decision either to grant the request (perhaps with stipulations to make it palatable) or to deny the request—or to defer final action to another meeting, or perhaps to accept a request for withdrawal. You will be sent a Notice of Decision during the following week.

If you believe that the Board's decision is wrong, you have the right to appeal. In addition, any third party/parties affected by the decision also has/have the right to appeal the decision of your case. To appeal, you must first ask the Board for a rehearing; this motion for rehearing may be in the form of a letter to the Board. The rehearing request must be made in writing within thirty (30) days following the Board's decision, and must set forth the grounds on which it is claimed the decision is unlawful or unreasonable.

The Board may grant such a rehearing if, in the Board's opinion, good reason is stated in the motion. In general, the Board will not allow a rehearing unless a majority of its sitting members conclude either that the protested decision was illegal or unreasonable or that the request for rehearing demonstrates the availability of new evidence that was not available at the original hearing. The Board will not reopen a case based on the same set of facts unless it is convinced that an injustice would be created by not doing so. Whether or not a rehearing is held, you must have requested one before you can appeal the decision to the Court(s). When a rehearing is held, the same procedure is followed as for the first hearing, including public notice and notice to abutters.

Please refer to NH RSA Chapter 677 for more detail on rehearing and appeal procedures.

### ALL DIRECT ABUTTERS

List name(s) and mailing addresses of the owner(s) of record of the property and all direct abutters as of the time of the last assessment of taxation made by the Town of Hudson, including persons whose property is either contiguous or separated from the subject tract of land by a street or stream. If at the time of your hearing any applicable property owner is found not to have been notified because your lists are incorrect or incomplete, the Zoning Board will defer your hearing to a later date, following notification of such abutters. (Use additional copies of this page if necessary)

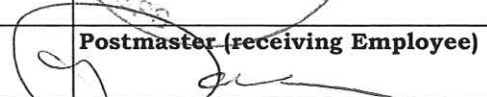
MAP	LOT	NAME OF PROPERTY OWNER	MAILING ADDRESS
197	174	Garland, Richard L.; Garland, Rayanne C.	3 Spruce street Hudson NH 03051
197	147	Squeglia, William J	4 <del>xxxx</del> Hemlock st Hudson NH 03051
197	148	Bariteau, Brenda A.	6 Hemlock street Hudson NH 03051
197	053	LeFrancois, Robert J; LeFrancois, Cheryl	1 Spruce street Hudson NH 03051
197	054	Morin, John	2 Hemlock street Hudson NH 03051
197	173	Ouellette, Michael A. Sr.; Tr. Ouellette, Tammy A., Tr. Ouellette Family Rev Trust	5 Spruce street Hudson NH 03051
197	176	Plamondon, Constance I	6 Spruce street Hudson NH 03051
197	175	Bourdon, John E.; Bourdon, Alicia A.	4 Spruce street Hudson NH 03051
197	052	Gardner, James, Tr; Gardner, Rose, Tr; Gardner Family Trust	2 Spruce street Hudson NH 03051

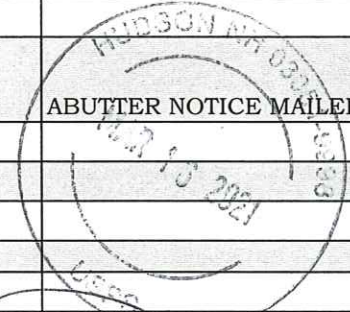
ALL INDIRECT ABUTTERS WITHIN 200 FEET

List name(s) and mailing addresses of all indirect abutters (those whose property is not contiguous but is within 200 feet from the property in question) as of the time of the last assessment of taxation made by the Town of Hudson. If at the time of your hearing any applicable property owner is found not to have been notified because your lists are incorrect or incomplete, the Zoning Board will defer your hearing to a later date, following notification of such abutters. (Use additional copies of this page if necessary)

MAP	LOT	NAME OF PROPERTY OWNER	MAILING ADDRESS
197	049	Warrington, John, Tr; Warrington, Therese, Tr; Warrington Family Trust	9 <del>1577th</del> Birch street Hudson NH 03051
197	048	Nadeau, David L.; <del>Sandra</del> Nadeau, Sandra A.	11 Birch street Hudson NH 03051
197	047	Nason, Richard C.; Nason, Shirley	13 Birch street Hudson NH 03051
197	046	Labbe, James <del>M</del> K; Labbe, Barbara A.	15 Birch street Hudson NH 03051
197	055	Larose, Scott B.; MacLeod, Lauren J.	1 Hembek street Hudson NH 03051
197	146	Gervais, Kevin; Gervais, Kelly	21 South shore Drive Pelham NH 03076
197	145	Jovialk, Paul A.; Jovialk, Kimberly J.	5 Hembek street Hudson NH 03051
197	144	Sutherland, Richard	7 Hembek street Hudson NH 03051
197	149	Patsos, Josephine M. Rev Trust	8 Hembek street Hudson NH 03051
197	172	Catanzaro, John J.; Catanzaro, Maryann	7 Spruce street Hudson NH 03051
197	187-001 <del>187-002</del>	Purcell, Scott D.; Purcell, Cassandra	10 Linden street Hudson NH 03051
197	<del>187-001</del> 187-002	Colburn, Kevin P., Tr.; Colburn, Kristine V.H., Tr.; V.H. Colburn Rev Trust	12 Linden street Hudson NH 03051
197	177	Armstrong, Donald S.; Armstrong, Claire L.	8 Spruce street Hudson NH 03051



SENDER:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - CERTIFIED MAIL	Case# 197-174 3 Spruce Street Map 197/Lot 174-000	VARIANCE & Equit. Waiver 1 of 1
ARTICLE NUMBER		Name of Addressee, Street, and post office address	03/25/2021 ZBA Meeting	
1	7018 1130 0001 8114 0521	GARLAND, RICHARD L. ; GARLAND, RAYANNE C. 3 SPRUCE STREET, HUDSON, NH 03051	APPLICANT NOTICE MAILED	
2	7018 1130 0001 8114 0538	SQUEGLIA, WILLIAM J. 4 HEMLOCK STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED	
3	7018 1130 0001 8114 0545	BARITEAU, BRENDA A. 6 HEMLOCK STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED	
4	7018 1130 0001 8114 0552	MORIN, JOHN 2 HEMLOCK ST., HUDSON, NH 03051	ABUTTER NOTICE MAILED	
5	7018 1130 0001 8114 0569	LEFRANCOIS, ROBERT J.; LEFRANCOIS, CHERYL 1 SPRUCE STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED	
6	7018 1130 0001 8114 0026	OUELLETTE, MICHAEL A. SR., TR.; OUELLETTE, TAMMY A., TR.; OUELLETTE FAMILY REV TRUST	ABUTTER NOTICE MAILED	
7	7018 1130 0001 8114 0033	5 SPRUCE STREET, HUDSON, NH 03051 PLAMONDON, CONSTANCE I.	ABUTTER NOTICE MAILED	
8	7018 1130 0001 8114 0040	6 SPRUCE STREET BOURDON, JOHN E.; BOURDON, ALICIA A.	ABUTTER NOTICE MAILED	
9	7018 1130 0001 8114 0057	4 SPRUCE STREET, HUDSON, NH 03051 GARDNER, JAMES, TR.; GARDNER, ROSE, TR.; GARDNER FAMILY TRUST	ABUTTER NOTICE MAILED	
10		2 SPRUCE STREET, HUDSON, NH 03051		
11				
	Total Number of pieces listed by sender 9	Total number of pieces rec'vd at Post Office 9	Postmaster (receiving Employee) 	



SENDER:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - FIRST CLASS MAIL	Case# 197-174 3 Spruce Street Map 197/Lot 174-000	VARIANCE & Equit. Waiver 1 of 1
ARTICLE NUMBER	Name of Addressee, Street, and post office address	03/25/2021 ZBA Meeting		
1	Mailed First Class WARRINGTON, JOHN, TR.; WARRINGTON, THERESE, TR.; WARRINGTON FAMILY REV TRUST	9 BIRCH STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED	
2	Mailed First Class NADEAU, DAVID L.; NADEAU, SANDRA A.	11 BIRCH STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED	
3	Mailed First Class NASON, RICHARD C.; NASON, SHIRLEY	13 BIRCH STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED	
4	Mailed First Class LABBE, JAMES K.; LABBE, BARBARA A.	15 BIRCH STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED	
5	Mailed First Class LAROSE, SCOTT B.; MACLEOD, LAUREN J.	1 HEMLOCK ST., HUDSON, NH 03051	ABUTTER NOTICE MAILED	
6	Mailed First Class GERVAIS, KEVIN; GERVAIS, KELLEY	21 SOUTH SHORE DR., PELHAM, NH 03076	ABUTTER NOTICE MAILED	
7	Mailed First Class JOVIK, PAUL A.; JOVIK, KIMBERLY J.	5 HEMLOCK STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED	
8	Mailed First Class SUTHERLAND, RICHARD	7 HEMLOCK STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED	
9	Mailed First Class PATSON, JOSEPHINE M. REV TRUST	8 HEMLOCK STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED	
10	Mailed First Class CATANZARO, JOHN J.; CATANZARO, MARYANN	7 SPRUCE STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED	
11	Mailed First Class PURCELL, SCOTT D.; PURCELL, CASSANDRA	10 LINDEN STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED	
12	Mailed First Class COLBURN, KEVIN P., TR.; COLBURN, KRISTINE V.H., TR.; V.H. COLBURN REV TRUST	12 LINDEN STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED	
13	Mailed First Class ARMSTRONG, DONALD S.; ARMSTRONG, CLAIRE L.	8 SPRUCE STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED	
<b>Total Number of pieces listed by sender 13</b>		<b>Total number of pieces rec'vd at Post Office</b> <b>13</b>	<b>Postmaster (receiving Employee)</b>	

TOWN OF HUDSON

MAR 16 2021

Zoning Department

Mailed First class  
**16**



For any appeal, the application form must be properly filled out. The application form is intended to be self-explanatory, but be sure that you show:

1. Who owns the property? If the applicant is not the owner, please include a statement from the owner that you have permission to speak on his/her behalf.
2. Where the property is located.
3. What you propose to do. Supply twelve copies of an 8.5" x 11" or 11" x 17" scale plan which gives lot area, frontage, side and rear lot lines, natural features, existing and proposed structures, alteration to the lot, and distance to lot lines or wetlands. Pictures and construction plans are helpful.
4. Why your proposed use requires an appeal. Please fill out the attached appeal forms completely. Include why the appeal should be granted.
5. List of abutters, per NH RSA 672:3. This includes property and the name(s) of the owner(s) of properties which physically touch the subject property, across the street and kitty-corner to the subject property.

Prepare a list of all abutting property owners using the Assessing Office records, and attach it to your application. **The accuracy of the list is your responsibility. If the list is found to be incorrect, you may be required to appear before the ZBA a second time, at your expense.**

6. Deliver the completed application, with all attachments, to the office of the Zoning Administrator. A fee is charged sufficient to cover the cost of preparing and mailing the legally required notices. If paying by check, make the check payable to the Town of Hudson and submit with your application.

The Zoning Office will schedule a public hearing within thirty (30) days of receipt of your **properly-completed** application. Applications are scheduled on a first come, first serve basis. **Only completed applications will be scheduled for a hearing.** Public notice of the hearing will be posted and printed in a newspaper, and a notice will be mailed to you, all abutters and other parties whom the Board may deem to have an interest.

After the public hearing, the Board will reach a decision. You will be sent a Notice of Decision.

If you believe that the Board's decision is wrong, you have the right to appeal. Any party affected has the right to appeal the decision of your case. To appeal, you just first ask the Board for a rehearing; this motion for rehearing may be in the form of a letter to the Board. The motion must be made within thirty (30) days of the Board's decision, and must set forth the grounds on which it is claimed the decision is unlawful or unreasonable.

The Board may grant such a rehearing if, in its' opinion, good reason is stated in the motion. The Board will not reopen a case based on the same set of facts unless it is convinced that an injustice would be created by not doing so. Whether or not a rehearing is held, you must have requested one before you can appeal the decision to the Court(s). When a rehearing is held, the same procedure is followed as for the first hearing, including public notice and notice to abutters.

See NH RSA Chapter 677 for more detail on rehearing and appeal procedures.

Requests before the Board may require connection to the municipal sewer system. Please contact the Town Engineer prior to submittal of this application to determine if connection is required, and the procedures for such application.

APPLICATION FOR AN EQUITABLE WAIVER

Equitable Waivers are granted for area violations of the ordinance and which have existed for a long period of time without negatively impacting the community. The following criteria must meet the satisfaction of the Zoning Board of Adjustment:

1. **INNOCENT MISTAKE.** Please explain how long the structure has been built, and under what circumstances was it permitted to be built in violation of the dimensional requirements of the ordinance:

Attached is a GIS Map From 2010 which shows the shed has been in place for over 10 years and to date, no code enforcement action has been received. The cost to remedy would be thousands of dollars to have a company come with equipment to move the shed as well as prep a new stable area to place the shed. Second option would also be very expensive to demo and rebuild a new shed after dropping the ground for a new shed in a new location.

2. **DISCOVERED TOO LATE.** Please explain when it was discovered that the structure was built in violation.

On March 1<sup>st</sup> 2021 while reviewing a certified plot plan it was discovered by the Zoning administrator but shed was in violation of variance order. We purchased the property July 12, 2012 with the shed in its current location. The current location of the shed does not create any nuances due to the fact it is just for storage of yard equipment and kids bikes. The opening of the shed faces towards the interior of the yard. Since purchasing the home we have had neighbors over and none have filed /stated any complaints due to the shed. Majority of properties around us in the neighborhood have an existing shed that also does not fall within the current variance.

*Robert [Signature]*





# TOWN OF HUDSON

## Land Use Division



12 School Street • Hudson, New Hampshire 03051 • Tel: 603-886-6008 • Fax: 603-594-1142

### Zoning Determination #21-041

Richard Garland  
3 Spruce St  
Hudson, NH 03051

Re: **3 Spruce St Map 197 Lot 174-000**  
**District: Town Residence (TR)**

Dear Mr. Garland,

**Zoning Review / Determination:**

Upon review of your variance application, I noticed the following:

The submitted plot plan indicates an existing shed that appears to have encroachment into the required side and rear setbacks.

To continue with this proposal, you should do the following:

Obtain an Equitable Waiver of Dimension from the ZBA, for the shed to remain, as it is currently in violation of required setbacks of the Hudson Zoning Ordinance §334-27: Table of Minimum Dimensional Requirements.

Sincerely,

*Bruce Buttrick*

*Bruce Buttrick*  
Zoning Administrator/Code Enforcement Officer  
(603) 816-1275  
[bbuttrick@hudsonnh.gov](mailto:bbuttrick@hudsonnh.gov)

cc: Public Folder  
D. Groth, Town Planner  
File

*NOTE: this determination may be appealed to the Hudson Zoning Board of Adjustment within 30 days of the receipt of this letter.*

197 174 000  
MAP LOT SUB

1 of 1 RESIDENTIAL  
CARD Hudson

Total Card / Total Parcel  
APPRAISED: 232,800 / 232,800  
USE VALUE: 232,800 / 232,800  
ASSESSED: 232,800 / 232,800



Patriot Properties Inc.

PROPERTY LOCATION

No	Alt No	Direction/Street/City
3		SPRUCE ST, HUDSON

OWNERSHIP

Owner 1:	GARLAND, RICHARD L.
Owner 2:	GARLAND, RAYANNE C.
Owner 3:	
Street 1:	3 SPRUCE STREET
Street 2:	
Twn/City:	HUDSON
St/Prov:	NH
Postal:	03051

PREVIOUS OWNER

Owner 1:	DORT, JENNIFER M. -
Owner 2:	-
Street 1:	3 SPRUCE STREET
Twn/City:	HUDSON
St/Prov:	NH
Postal:	03051

NARRATIVE DESCRIPTION

This parcel contains .23 ACRES of land mainly classified as ONE FAMILY with a RAISED RANCH Building built about 1992, having primarily WOOD SHINGLE Exterior and 1224 Square Feet, with 1 Unit, 2 Baths, 0 3/4 Bath, 0 HalfBath, 6 Rooms, and 3 Bdrms.

OTHER ASSESSMENTS

Code	Descr/No	Amount	Com. Int

PROPERTY FACTORS

Item	Code	Description	%	Item	Code	Description
Z	TR	TOWN RES		water	3	TOWN WATE
				Sewer	2	TOWN SEWE
				Electri		
				Exmpt		
				Topo	4	ROLLING
				Street		
				Gas:		

LAND SECTION (First 7 lines only)

Use Code	Description	LUC Fact	No of Units	Depth / Price/Units	Unit Type	Land Type	LT Factor	Base Value	Unit Price	Adj	Neigh Infl	Neigh Infl	Neigh Infl	Infl 1 %	Infl 2 %	Infl 3 %	Appraised Value	Alt Class	Spec %	J Land Code	Fact	Use Value	Notes
101	ONE FAMILY		0.23		SITE ACRE SITE			0	110,000.	3.34	RE						84,590					84,600	

IN PROCESS APPRAISAL SUMMARY

Use Code	Land Size	Building Value	Yard Items	Land Value	Total Value
101	0.230	146,900	1,300	84,600	232,800
Total Card	0.230	146,900	1,300	84,600	232,800
Total Parcel	0.230	146,900	1,300	84,600	232,800
Source:	Market Adj Cost	Total Value per SQ unit /Card:		190.20	/Parcel: 190.20

PREVIOUS ASSESSMENT

Tax Yr	Use	Cat	Bldg Value	Yrd Items	Land Size	Land Value	Total Value	Asses'd Value	Notes	Date
2020	101	FV	146,900	1300	.23	84,600	232,800	232,800	Year End Roll	8/27/2020
2020	101	JB	146,900	1300	.23	84,600	232,800	232,800	Year End Roll	5/6/2020
2019	101	FV	146,900	1300	.23	84,600	232,800	232,800	Year End Roll	9/16/2019
2019	101	JB	146,500	1300	.23	84,600	232,400	232,400	Year End Roll	5/8/2019
2018	101	FV	146,500	1300	.23	84,600	232,400	232,400	Year End Roll	8/27/2018
2018	101	JB	146,500	1300	.23	84,600	232,400	232,400	Year End Roll	5/9/2018
2017	101	FV	146,500	1300	.23	84,600	232,400	232,400	Year End Roll	10/26/2017
2017	101	PV	146,500	1300	.23	84,600	232,400	232,400	Year End Roll	8/28/2017

SALES INFORMATION

Grantor	Legal Ref	Type	Date	Sale Code	Sale Price	V	Tsl	Verif	Notes
DORT, JENNIFER	8446-2424	1	7/12/2012		219,900	No	No		
BRUCE, ALBERT E	7035-2913	1	8/15/2003		232,000	No	No		
BRUCE, BRENDA L	6419-0133		5/9/2001	FAMILY TRANS		No	No		
CARLSON, DAVID	8169-0915		10/15/1999		146,500	No	No		
CARLSON, DAVID	5788-0140		2/6/1997	UNCLASSIFIED		No	No		
	5089-0632		2/26/1989		100	No	No		

BUILDING PERMITS

Date	Number	Descr	Amount	C/O	Last Visit	Fed Code	F. Descr	Comment

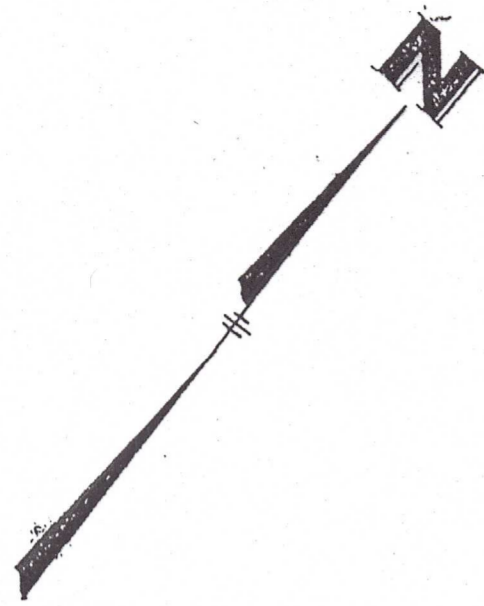
ACTIVITY INFORMATION

Date	Result	By	Name
6/4/2019	Meas/Inspect	19	KRT2
6/4/2019	Measured	19	KRT2
6/20/2017	Field Review	12	TECH ASMNT
7/30/2012	Sale Data V	12	TECH ASMNT
11/17/2011	Measured	14	APPR TECH 4
7/17/2007	Measured	10	APPRAISER II
1/9/2006	New Maps	1	CHIEF ASSESS
7/13/2004	Inspected	5	NEMC
5/11/2004	Measured	5	NEMC









TAX MAP 197 / LOT 147  
WILLIAM SQUEGLIA  
4 HEMLOCK STREET  
HUDSON, NH 03051

OWNER OF RECORD: RICHARD & RAYANNE GARLAND  
3 SPRUCE STREET  
HUDSON, NH 03051

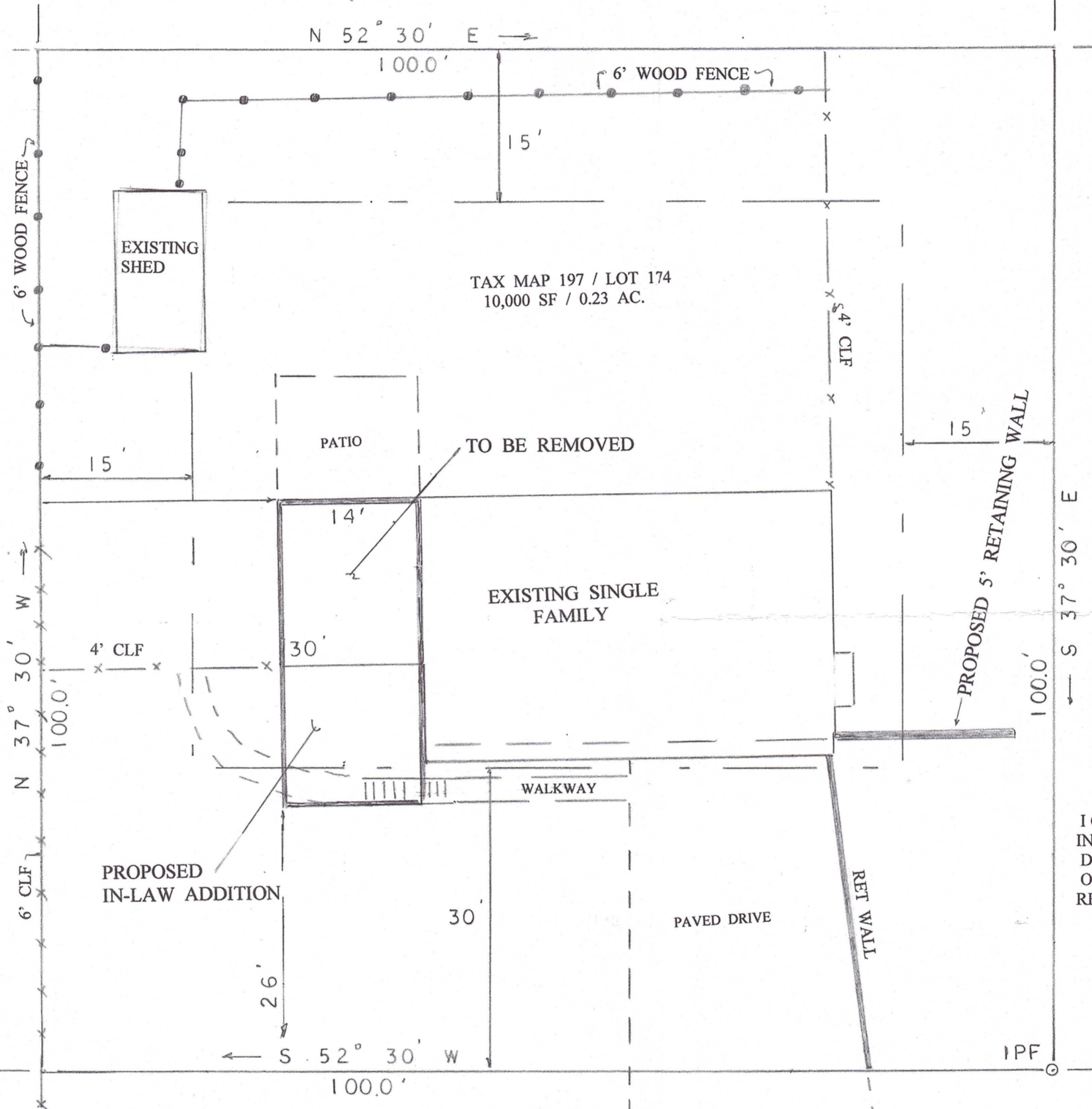
DEED REFERENCE: BOOK 8446 PAGE 2424

PLAN REFERENCE: HCRD # 2455 LOT #11  
DATED DECEMBER 1962

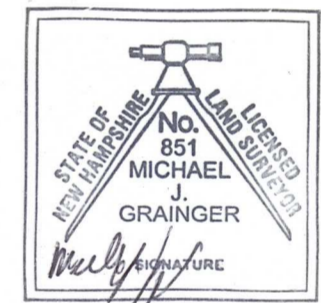
MINIMUM SETBACKS: FRONT - 30 FEET  
SIDE - 15 FEET  
REAR - 15 FEET

THE PURPOSE OF THIS PLAN IS TO SHOW A  
PROPOSED IN-LAW ADDITION.

TAX MAP 197 / LOT 173  
MICHAEL & TAMMY OUELLETTE  
5 SPRUCE STREET  
HUDSON, NH 03051



TAX MAP 197 / LOT 53  
ROBERT & CHERYL LEFRANCOIS  
1 SPRUCE STREET  
HUDSON, NH 03051



I CERTIFY THAT THIS PLAN WAS PREPARED FROM THE BOUNDARY  
INFORMATION AND A FIELD SURVEY MADE ON THE GROUND  
DURING JULY 2020, HAVING A MAXIMUM ERROR OF CLOSURE  
OF 1 IN 10,000, IN ACCORDANCE WITH THE TOWN OF HUDSON  
REGULATIONS.

TAX MAP 197 / LOT 174

### PROPOSED PLOT PLAN 3 SPRUCE STREET HUDSON, NH

PREPARED FOR: RICHARD GARLAND  
3 SPRUCE STREET  
HUDSON, NH 03051

JULY 16, 2020

SCALE: 1" = 10'

M. J. GRAINGER ENGINEERING, INC.  
PROFESSIONAL ENGINEERS - SURVEYORS - PLANNERS  
220 DERRY ROAD HUDSON, NH 03051 (603) 882-4359

JN 20-123



## SPRUCE STREET

TAX MAP 197 / LOT 175  
JOHN & ALICIA BOUDON  
4 SPRUCE STREET  
HUDSON, NH 03051



Printed  
3/10/2021  
11:51AM  
Created  
3/10/2021  
9:02 AM

Transaction Receipt  
Town of Hudson, NH  
12 School Street  
Hudson, NH 03051-4249

Receipt# 632,682  
tgoodwyn

	Description	Current Invoice	Payment	Balance Due
1.00	Zoning Application- 03/25/21 ZBA Meeting 3 Spruce Street Map/Lot 197-174-000			
	Variance Application	0.00	174.5000	0.00
	Equitable Waiver	0.00	130.0000	0.00
			Total:	304.50

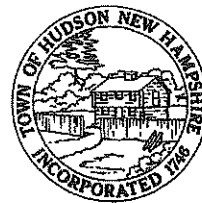
Remitter	Pay Type	Reference	Tendered	Change	Net Paid
Elaine Graves	CHECK	CHECK # 1387	174.50	0.00	174.50
Elaine Graves	CHECK	CHECK # 1388	130.00	0.00	130.00
			Total Due:		304.50
			Total Tendered:		304.50
			Total Change:		0.00
			Net Paid:		304.50



# TOWN OF HUDSON

## Land Use Division

12 School Street • Hudson, New Hampshire 03051 • Tel: 603-886-6008 • Fax: 603-594-1142



### Zoning Administrator Staff Report

Meeting Date: March 25, 2021 *Bk 3-16-21*

**Case 197-174 (03-25-21):** Richard L. Garland, 3 Spruce St., Hudson, NH [Map 197, Lot 174-000; Zoned Town Residence (TR)] requests the following:

A Variance to allow the construction of a 420 sqft. Accessory Dwelling Unit to encroach 4 feet into the front yard setback leaving 26 feet where 30 feet is required. [HZO Article VII, Dimensional Requirements, §334-27, Table of Minimum Dimensional Requirements].

**Address:** 3 Spruce St

**Zoning district:** Town Residence (TR)

**Summary:**

Applicant requests a variance to encroach 4 ft into the front setback, leaving 26 ft of setback, based on the submitted plot plan.

**Property description:**

Developed conforming lot of record. Single family use.

**HISTORY:**

None

**Attachments:**

“A” Assessing record.

## Previous Assessments

Year	Code	Building	Yard Items	Land Value	Acres	Special Land	Total
2020	101 - ONE FAMILY	146,900	1,300	84,600	0.23	0.00	232,800
2020	101 - ONE FAMILY	146,900	1,300	84,600	0.23	0.00	232,800
2019	101 - ONE FAMILY	146,900	1,300	84,600	0.23	0.00	232,800
2019	101 - ONE FAMILY	146,500	1,300	84,600	0.23	0.00	232,400
2018	101 - ONE FAMILY	146,500	1,300	84,600	0.23	0.00	232,400
2018	101 - ONE FAMILY	146,500	1,300	84,600	0.23	0.00	232,400
2017	101 - ONE FAMILY	146,500	1,300	84,600	0.23	0.00	232,400
2017	101 - ONE FAMILY	132,400	1,300	80,700	0.23	0.00	214,400
2017	101 - ONE FAMILY	146,500	1,300	84,600	0.23	0.00	232,400
2016	101 - ONE FAMILY	132,400	1,300	80,700	0.23	0.00	214,400
2016	101 - ONE FAMILY	132,400	1,300	80,700	0.23	0.00	214,400
2015	101 - ONE FAMILY	132,400	1,300	80,700	0.23	0.00	214,400
2015	101 - ONE FAMILY	132,400	1,300	80,700	0.23	0.00	214,400
2014	101 - ONE FAMILY	132,400	1,300	80,700	0.23	0.00	214,400
2014	101 - ONE FAMILY	132,400	1,300	80,700	0.23	0.00	214,400
2013	101 - ONE FAMILY	132,400	1,300	80,700	0.23	0.00	214,400
2013	101 - ONE FAMILY	132,400	1,300	80,700	0.23	0.00	214,400
2012	101 - ONE FAMILY	132,400	1,300	80,700	0.23	0.00	214,400
2012	101 - ONE FAMILY	142,200	1,200	113,000	0.23	0.00	256,400
2011	101 - ONE FAMILY	127,800	1,200	113,000	0.23	0.00	242,000
2011	101 - ONE FAMILY	127,800	1,200	113,000	0.23	0.00	242,000
2010	101 - ONE FAMILY	127,800	1,200	113,000	0.23	0.00	242,000
2010	101 - ONE FAMILY	127,800	1,200	113,000	0.23	0.00	242,000
2009	101 - ONE FAMILY	127,800	1,200	113,000	0.23	0.00	242,000
2008	101 - ONE FAMILY	127,800	1,200	113,000	0.23	0.00	242,000
2008	101 - ONE FAMILY	127,800	1,200	113,000	0.23	0.00	242,000
2007	101 - ONE FAMILY	127,800	1,200	113,000	0.23	0.00	242,000
2007	101 - ONE FAMILY	138,600	700	88,400	0.23	0.00	227,700
2006	101 - ONE FAMILY	138,600	700	88,400	0.23	0.00	227,700
2006	101 - ONE FAMILY	138,600	700	88,400	0.23	0.00	227,700
2005	101 - ONE FAMILY	138,600	700	88,100	0.22	0.00	227,400
2005	101 - ONE FAMILY	138,600	700	88,100	0.22	0.00	227,400
2004	101 - ONE FAMILY	138,600	700	88,100	0.22	0.00	227,400
2004	101 - ONE FAMILY	115,200	400	68,900	0.22	0.00	184,500
2003	101 - ONE FAMILY	115,200	400	68,900	0.22	0.00	184,500
2003	101 - ONE FAMILY	115,200	400	68,900	0.22	0.00	184,500
2002	101 - ONE FAMILY	115,200	400	68,900	0.22	0.00	184,500
2002	101 - ONE FAMILY	115,200	400	68,900	0.22	0.00	184,500
2001	101 - ONE FAMILY	72,900	0	44,400		0.00	117,300
2000	101 - ONE FAMILY	70,700	2,200	44,400	0.22	0.00	117,300

"A"



TOWN OF HUDSON

MAR 09 2021

Zoning Department

APPLICATION FOR A VARIANCE

To: Zoning Board of Adjustment  
Town of Hudson

Entries in this box are to be filled out by  
Land Use Division personnel

Case No. 197-174 (03-25-21)

Date Filed 3/9/21

Name of Applicant Richard L. Garland Map: 197 Lot: 174 Zoning District: TR

Telephone Number (Home) 978-771-1329 (Work) N/A

Mailing Address 3 Spruce Street

Owner Richard L. and Rayanne C. Garland

Location of Property 3 Spruce Street  
(Street Address)

[Signature]  
Signature of Applicant

2/26/2021  
Date

[Signature]  
Signature of Property-Owner(s)

2/26/2021  
Date

**NOTE:** Fill in all portions of the Application Form(s) as appropriate. This application is not acceptable unless all required statements have been made. Additional information may be supplied on a separate sheet if space provided is inadequate. If you are not the property owner, you must provide written documentation signed by the property owner(s) to confirm that the property owner(s) are allowing you to speak on his/her/their behalf or that you have permission to seek the described variance.

Items in this box are to be filled out by Land Use Division personnel

**COST:**

Application fee: \$130.00  
9 Direct Abutters x \$4.10 = 37.35  
13 Indirect Abutters x \$0.55 = 7.15  
**Total amount due:** \$174.50

Date received: 3/9/21

Amt. received: \$ 174.50 check #

Receipt No.: 632,682

Received by: [Signature]

By determination of the Zoning Administrator or Building Inspector, the following Departmental review is required:

\_\_\_\_\_ Engineering \_\_\_\_\_ Fire Department \_\_\_\_\_ Health Officer \_\_\_\_\_ Planner

# TOWN OF HUDSON, NH

## NOTICE TO APPLICANTS

The following **requirements/checklist** pertain to the Town of Hudson, NH, Zoning Board of Adjustment applications, as applicable:

Applicant Initials		Staff Initials
_____	The applicant must provide <del>13</del> <sup>11</sup> copies including the original of the filled-out application form, together with this checklist and any required attachments listed. (Paper clips, no staples)	TG 3/9/21
_____	Before making the <del>13</del> <sup>11</sup> copies, please review the application with the Zoning Administrator or staff.	TG. 11/2/20 (TG)
<u>226</u>	A separate application shall be submitted for each request, with a separate application fee for each request i.e.: Variance, Special Exception, Home Occupation Special Exception, Wetland Special Exception, Appeal from an Administrative Decision, and Equitable Waiver but only one abutter notification fee will be charged for multiple requests. If paying by check, make the check payable to the Town of Hudson.	TG
<u>226</u>	If the applicant is not the property owner(s), the applicant must provide to the Town written authorization, signed and dated by the property owner(s), to allow the applicant or any representative to apply on the behalf of the property owner(s). (NOTE: if such an authorization is required, the Land Use Division will not process the application until this document has been supplied.)	N/A
_____	Provide two (2) sets of mailing labels from the abutter notification lists (Pages 4 & 5) prepared by applicant, with the proper mailing addresses, must be dated within (30) thirty days of submittal of the application. The abutter lists can be obtained from the assessor's office. (NOTE: the Land Use Division cannot process your application without the abutter lists. It is the applicant's responsibility to ensure that the abutter lists are complete and correct. If at the time of the hearing any applicable property owner is found not to have been notified because the lists are incomplete or incorrect, the Zoning Board will defer the hearing to a later date, following notification of such abutters.)	Pending *To be submitted w/complete application Rcvd 3/1/21
<u>226</u>	A copy of both sides of the assessor's card shall be provided. (NOTE: these copies are available from the Assessor's Office)	TG
<u>226</u>	A copy of the Zoning Administrator's correspondence confirming either that the requested use is not permitted or that action by the Zoning Board of Adjustment is required must be attached to your application.	TG.
<u>226</u>	For a Wetland Special Exception, a letter or a copy of the relevant decision from the Hudson Conservation Commission shall be attached to the application for existing single-family and duplex residential uses. All other Wetland Special Exceptions (multifamily, commercial, or industrial uses) must have letters both from the Conservation Commission and from the Planning Board.	N/A

Recvd 3/1/21  
Pending.  
as of 11/2/20. (B)

**PLOT PLAN-**

RJL Except for requests pertaining to above-ground pools, sheds, decks and use variances, the application must include a copy of a certified plot plan from a licensed land surveyor. The required plot plan shall include all of the items listed below. Pictures and construction plans will also be helpful. (NOTE: it is the responsibility of the applicant to make sure that all of the requirements are satisfied. The application may be deferred if all items are not satisfactorily submitted):

- a) RJL The plot plan shall be drawn to scale on an 8 1/2" x 11" or 11" x 17" sheet with a North pointing arrow shown on the plan. TG
- b) RJL The plot plan shall be up-to date and dated, and shall be no more than three years old. TG
- c) RJL The plot plan shall have the signature and the name of the preparer, with his/her/their seal. TG.
- d) RJL The plot plan shall include lot dimensions and bearings, with any bounding streets and with any rights-of-way and their widths as a minimum, and shall be accompanied by a copy of the GIS map of the property. (NOTE: copies of the GIS map can be obtained at the Land Use Division.) TG.
- e) RJL The plot plan shall include the location and dimensions of existing or required services, the area (total square footage), all buffer zones, natural features, any landscaped areas, any recreation areas, any safety zones, all signs, streams or other wetland bodies, and any drainage easements. TG
- f) RJL The plot plan shall include all existing buildings or other structures, together with their dimensions and the distances from the lot lines, as well as any encroachments. TG
- g) RJL The plot plan shall include all proposed buildings, structures, or additions, marked as "PROPOSED," together with all applicable dimensions and encroachments. TG
- h) RJL The plot plan shall show the building envelope as defined from all the setbacks required by the zoning ordinance. TG
- i) RJL The plot plan shall indicate all parking spaces and lanes, with dimensions. TG.

**The applicant has signed and dated this form to show his/her awareness of these requirements.**

[Signature]  
Signature of Applicant(s)

9/25/2020  
Date

The Land Use Division will schedule a public hearing at the next available meeting of the Hudson Zoning Board of Adjustment for your properly-completed application. Applications are scheduled on a first-come, first-served basis. Public notice of the hearing will be posted on public bulletin boards in the Town Hall, the Post Office, and the Rogers Library and also printed in a newspaper, and a notice will be mailed to the applicant, all abutters, and any other parties whom the Board may deem to have an interest.

After the public hearing, the Board will deliberate and then reach a decision either to grant the request (perhaps with stipulations to make it palatable) or to deny the request—or to defer final action to another meeting, or perhaps to accept a request for withdrawal. You will be sent a Notice of Decision during the following week.

If you believe that the Board's decision is wrong, you have the right to appeal. In addition, any third party/parties affected by the decision also has/have the right to appeal the decision of your case. To appeal, you must first ask the Board for a rehearing; this motion for rehearing may be in the form of a letter to the Board. The rehearing request must be made in writing within thirty (30) days following the Board's decision, and must set forth the grounds on which it is claimed the decision is unlawful or unreasonable.

The Board may grant such a rehearing if, in the Board's opinion, good reason is stated in the motion. In general, the Board will not allow a rehearing unless a majority of its sitting members conclude either that the protested decision was illegal or unreasonable or that the request for rehearing demonstrates the availability of new evidence that was not available at the original hearing. The Board will not reopen a case based on the same set of facts unless it is convinced that an injustice would be created by not doing so. Whether or not a rehearing is held, you must have requested one before you can appeal the decision to the Court(s). When a rehearing is held, the same procedure is followed as for the first hearing, including public notice and notice to abutters.

Please refer to NH RSA Chapter 677 for more detail on rehearing and appeal procedures.

**ALL DIRECT ABUTTERS**

List name(s) and mailing addresses of the owner(s) of record of the property and all direct abutters as of the time of the last assessment of taxation made by the Town of Hudson, including persons whose property is either contiguous or separated from the subject tract of land by a street or stream. If at the time of your hearing any applicable property owner is found not to have been notified because your lists are incorrect or incomplete, the Zoning Board will defer your hearing to a later date, following notification of such abutters. (Use additional copies of this page if necessary)

MAP	LOT	NAME OF PROPERTY OWNER	MAILING ADDRESS
197	174	Garland, Richard L.; Garland, Rayanne C.	3 Spruce street Hudson NH 03051
197	147	Squeglia, William J	4 <del>xxxx</del> Hemlock st Hudson NH 03051
197	148	Bariteau, Brenda A.	6 Hemlock street Hudson NH 03051
197	053	LeFrancois, Robert J; LeFrancois, Cheryl	1 Spruce street Hudson NH 03051
197	054	Morin, John	2 Hemlock street Hudson NH 03051
197	173	Ouellette, Michael A. Sr.; Tr. Ouellette, Tammy A., Tr. Ouellette Family Rev Trust	5 Spruce street Hudson NH 03051
197	176	Plamondon, Constance I.	6 Spruce Street Hudson NH 03051
197	175	Bourdon, John E.; Bourdon, Alicia A.	4 Spruce street Hudson NH 03051
197	052	Gardner, James, Tr; Gardner, Rose, Tr.; Gardner Family Trust	2 Spruce street Hudson NH 03051

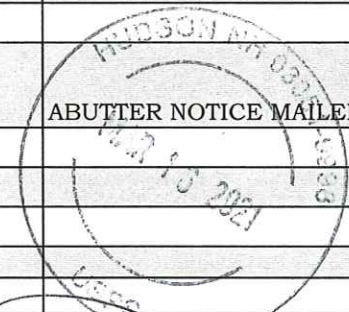


ALL INDIRECT ABUTTERS WITHIN 200 FEET

List name(s) and mailing addresses of all indirect abutters (those whose property is not contiguous but is within 200 feet from the property in question) as of the time of the last assessment of taxation made by the Town of Hudson. If at the time of your hearing any applicable property owner is found not to have been notified because your lists are incorrect or incomplete, the Zoning Board will defer your hearing to a later date, following notification of such abutters. (Use additional copies of this page if necessary)

MAP	LOT	NAME OF PROPERTY OWNER	MAILING ADDRESS
197	049	Warrington, John, Tr; Warrington, Therese, Tr; Warrington Family Trust	9 <del>1577th</del> Birch street Hudson NH 03051
197	048	Nadeau, David L.; <del>BARBARA</del> Nadeau, Sandra A.	11 Birch street Hudson NH 03067
197	047	Nason, Richard C.; Nason, Shirley	13 Birch street Hudson NH 03057
197	046	Labbe, James <del>M</del> K; Labbe, Barbara A.	15 Birch street Hudson NH 03057
197	055	Larose, Scott B.; MacLeod, Lauren J.	1 Hembock street Hudson NH 03057
197	146	Gervais, Kevin; Gervais, Kelly	21 South shore Drive Pelham NH 03076
197	145	Joviak, Paul A.; Joviak, Kimberly J.	5 Hembock street Hudson NH 03057
197	144	Sutherland, Richard	7 Hembock street Hudson NH 03057
197	149	Patsos, Josephine M. Rev Trust	8 Hembock street Hudson NH 03057
197	172	Catanzaro, John J.; Catanzaro, Maryann	7 Spruce street Hudson NH 03057
197	187-001 <del>187-000</del>	Purcell, Scott D.; Purcell, Cassandra	10 Linden street Hudson NH 03057
197	<del>187-001</del> 187-002	Colburn, Kevin P., Tr.; Colburn, Kristine V.H., Tr.; V.H. Colburn Rev Trust	12 Linden street Hudson NH 03057
197	177	Armstrong, Donald S.; Armstrong, Claire L.	8 Spruce street Hudson NH 03057

SENDER:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - CERTIFIED MAIL	Case# 197-174 3 Spruce Street Map 197/Lot 174-000 VARIANCE & Equit. Waiver 1 of 1
ARTICLE NUMBER		Name of Addressee, Street, and post office address	03/25/2021 ZBA Meeting
1	7018 1130 0001 8114 0521	GARLAND, RICHARD L. ; GARLAND, RAYANNE C. 3 SPRUCE STREET, HUDSON, NH 03051	APPLICANT NOTICE MAILED
2	7018 1130 0001 8114 0538	SQUEGLIA, WILLIAM J. 4 HEMLOCK STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED
3	7018 1130 0001 8114 0545	BARITEAU, BRENDA A. 6 HEMLOCK STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED
4	7018 1130 0001 8114 0552	MORIN, JOHN 2 HEMLOCK ST., HUDSON, NH 03051	ABUTTER NOTICE MAILED
5	7018 1130 0001 8114 0569	LEFRANCOIS, ROBERT J.; LEFRANCOIS, CHERYL 1 SPRUCE STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED
6	7018 1130 0001 8114 0026	OUELLETTE, MICHAEL A. SR., TR.; OUELLETTE, TAMMY A., TR.; OUELLETTE FAMILY REV TRUST	ABUTTER NOTICE MAILED
7	7018 1130 0001 8114 0033	5 SPRUCE STREET, HUDSON, NH 03051 PLAMONDON, CONSTANCE I.	ABUTTER NOTICE MAILED
8	7018 1130 0001 8114 0040	6 SPRUCE STREET BOURDON, JOHN E.; BOURDON, ALICIA A.	ABUTTER NOTICE MAILED
9	7018 1130 0001 8114 0057	4 SPRUCE STREET, HUDSON, NH 03051 GARDNER, JAMES, TR.; GARDNER, ROSE, TR.; GARDNER FAMILY TRUST	ABUTTER NOTICE MAILED
10		2 SPRUCE STREET, HUDSON, NH 03051	
11			
	Total Number of pieces listed by sender 9	Total number of pieces rec'vd at Post Office 9	Postmaster (receiving Employee)





SENDER:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - FIRST CLASS MAIL	Case# 197-174 3 Spruce Street Map 197/Lot 174-000	VARIANCE & Equit. Waiver 1 of 1
ARTICLE NUMBER	Name of Addressee, Street, and post office address	03/25/2021 ZBA Meeting		
1	Mailed First Class WARRINGTON, JOHN, TR.; WARRINGTON, THERESE, TR.; WARRINGTON FAMILY REV TRUST	ABUTTER NOTICE MAILED		
2	Mailed First Class 9 BIRCH STREET, HUDSON, NH 03051 NADEAU, DAVID L.; NADEAU, SANDRA A.	ABUTTER NOTICE MAILED		
3	Mailed First Class 11 BIRCH STREET, HUDSON, NH 03051 NASON, RICHARD C.; NASON, SHIRLEY	ABUTTER NOTICE MAILED		
4	Mailed First Class 13 BIRCH STREET, HUDSON, NH 03051 LABBE, JAMES K.; LABBE, BARBARA A.	ABUTTER NOTICE MAILED		
5	Mailed First Class 15 BIRCH STREET, HUDSON, NH 03051 LAROSE, SCOTT B.; MACLEOD, LAUREN J.	ABUTTER NOTICE MAILED		
6	Mailed First Class 1 HEMLOCK ST., HUDSON, NH 03051 GERVAIS, KEVIN; GERVAIS, KELLEY	ABUTTER NOTICE MAILED		
7	Mailed First Class 21 SOUTH SHORE DR., PELHAM, NH 03076 JOVIK, PAUL A.; JOVIK, KIMBERLY J.	ABUTTER NOTICE MAILED		
8	Mailed First Class 5 HEMLOCK STREET, HUDSON, NH 03051 SUTHERLAND, RICHARD	ABUTTER NOTICE MAILED		
9	Mailed First Class 7 HEMLOCK STREET, HUDSON, NH 03051 PATSON, JOSEPHINE M. REV TRUST	ABUTTER NOTICE MAILED		
10	Mailed First Class 8 HEMLOCK STREET, HUDSON, NH 03051 CATANZARO, JOHN J.; CATANZARO, MARYANN	ABUTTER NOTICE MAILED		
11	Mailed First Class 7 SPRUCE STREET, HUDSON, NH 03051 PURCELL, SCOTT D.; PURCELL, CASSANDRA	ABUTTER NOTICE MAILED		
12	Mailed First Class 10 LINDEN STREET, HUDSON, NH 03051 COLBURN, KEVIN P., TR.; COLBURN, KRISTINE V.H., TR.; V.H. COLBURN REV TRUST	ABUTTER NOTICE MAILED		
13	Mailed First Class 12 LINDEN STREET, HUDSON, NH 03051 ARMSTRONG, DONALD S.; ARMSTRONG, CLAIRE L.	ABUTTER NOTICE MAILED		
		8 SPRUCE STREET, HUDSON, NH 03051		
	<b>Total Number of pieces listed by sender 13</b>	<b>Total number of pieces rec'vd at Post Office</b>	<b>Postmaster (receiving Employee)</b>	

13

TOWN OF HUDSON

MAR 16 2021

Zoning Department

Mailed First class  
TG

APPLICATION FOR A VARIANCE

This form constitutes a request for a variance from the literal provisions of the Hudson Zoning Ordinance Article VII of HZO Section(s) 334-27 (Table of minimum Dimensional Requirements) in order to permit the following change or use:

To allow construction of a 420 square foot ADU which encroaches the front yard setback leaving 26 Ft where 30 Ft is required. This allowing the addition to conform to the town's requirements in the ADU check list.

You must attach to this application a copy of some form of determination that the proposed change or use is not permitted without a variance, consisting of a denial in writing of a building permit or use authorization by the Zoning Administrator, with the reasons for the denial being cited thereon.

**FACTS SUPPORTING THIS REQUEST:**

The power to grant variances from the local zoning ordinances is established in NH RSA 674:33 I (b), as follows:

- I. "The Zoning Board of Adjustment shall have the power to: ....
  - (b) Authorize upon appeal in specific cases a variance from the terms of the zoning ordinance if:
    - (1) The variance will not be contrary to the public interest;
    - (2) The spirit of the ordinance is observed;
    - (3) Substantial justice is done;
    - (4) The values of surrounding properties are not diminished; and
    - (5) Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship.
      - (A) For purposes of this subparagraph, "unnecessary hardship" means that, owing to special conditions of the property that distinguish it from other properties in the area:
        - (i) No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property; and
        - (ii) The proposed use is a reasonable one.
      - (B) If the criteria in subparagraph (A) are not established, an unnecessary hardship will be deemed to exist if, and only if, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable a reasonable use of it.

The definition of "unnecessary hardship" set forth in subparagraph (5) shall apply whether the provision of the ordinance from which a variance is sought is a restriction of use, a dimensional or other limitation on a permitted use, or any other requirement of the ordinance.



New Hampshire case law has established, on the basis of the preceding statute and/or its precedent versions, that all of the following requirements must be satisfied in order for a Zoning Board of Adjustment to grant a variance. You must demonstrate by your answers in the following blanks that you do or will meet each and every requirement; do not presume or say that a requirement does not apply, or your request will be disqualified. Note that your answers here can be summary in nature, and you can provide additional testimony at the time of your hearing.

1. Granting of the requested variance will not be contrary to the public interest, because:  
(Explain why you feel this to be true—keeping in mind that the proposed use must not conflict with the explicit or implicit purpose of the ordinance and that it must not alter the essential character of the neighborhood, threaten public health, safety, or welfare, or otherwise injure “public rights.”)

Granting this variance will allow for the continued look of a single family home. If the variance is not granted the ADU addition will be set back and will need a large and distract walk way in front of the home. Allowing this variance will keep with the character of the existing neighborhood.

2. The proposed use will observe the spirit of the ordinance, because:  
(Explain why you feel this to be true—keeping in mind that, as detailed above, the proposed use must not conflict with the explicit or implicit purpose of the ordinance and must not alter the essential character of the neighborhood, threaten public health, safety, or welfare, or otherwise injure “public rights.”)

Granting this variance will still observe the ordinance because it will be maintaining the character of the existing neighborhood by keeping the appearance of single family home. The current plan is only 420 sqft which is much less than the 750 sqft allowed.

3. Substantial justice would be done to the property-owner by granting the variance, because:  
(Explain why you believe this to be true—keeping in mind that the benefits to the applicant must not be outweighed by harm to the general public or to other individuals.)

Substantial justice would be done to us by allowing us to keep the current appearance and allow for us to have a front yard setting that would maintain the curb appeal vs having to create a large and distant walk way to the back of the home.

4. The proposed use will not diminish the values of surrounding properties, because:  
(Explain why you believe this to be true—keeping in mind that the Board will consider expert testimony but also may consider other evidence of the effect on property values, including personal knowledge of the members themselves.)

The proposal will actually allow for increase of property value as this plan will keep the appeal of the current neighborhood setting.

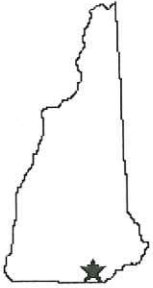
5. Special conditions exist such that literal enforcement of the ordinance results in **unnecessary hardship**, because:

(Explain why you believe this to be true—keeping in mind that you must establish that, because of the special conditions of the property in question, the restriction applied to the property by the ordinance does not serve the purpose of the restriction in a “fair and reasonable” way *and also* that you must establish that the special conditions of the property cause the proposed use to be reasonable. Alternatively, you can establish that, because of the special conditions of the property, there is no reasonable use that can be made of the property that would be permitted under the ordinance.)

Enforcing this ordinance will result in unnecessary hardships as it will increase the expense of the small 420sq ADU due to the elevation of the back yard and shed. We would also need to create a large and long walk way. The current setting of the home allows for the current plan to keep the single family look and allow our neighbors to have continued privacy in their back yards.

Requests before the Zoning Board of Adjustment may require connection to the municipal sewer system. Please contact the Town Engineer’s Office prior to submittal of this application to determine if connection is required or will be allowed, together with the procedure for such application.





# TOWN OF HUDSON

## Land Use Division



12 School Street • Hudson, New Hampshire 03051 • Tel: 603-886-6008 • Fax: 603-594-1142

### Zoning Determination #20-102

Richard Garland  
3 Spruce St  
Hudson, NH 03051

Re: **3 Spruce St Map 197 Lot 174-000**  
**District: Town Residence (TR)**

Dear Mr. Garland,

#### **Zoning Review / Determination:**

The submitted plot plan indicates an encroachment of 4 ft into the required front setback of 30 ft, leaving 26 ft of setback.

To continue with this proposal you would need to do the following:

Obtain a variance from the ZBA for relief from §334-27 Table of Minimum Dimensional Requirements, for 26 ft where 30 ft is required.

You indicate this addition is for an ADU, please confirm that your proposal complies with Article XIII A ACCESSORY DWELLING UNITS of the Zoning Ordinance.

Sincerely,

*Bruce Buttrick, MCP*  
Zoning Administrator/Code Enforcement Officer  
(603) 816-1275  
[bbuttrick@hudsonnh.gov](mailto:bbuttrick@hudsonnh.gov)

cc: Public Folder  
D. Groth, Town Planner  
File

*NOTE: this determination may be appealed to the Hudson Zoning Board of Adjustment within 30 days of the receipt of this letter.*



COMMUNITY DEVELOPMENT DEPARTMENT  
 12 School Street  
 Hudson, NH 03051  
 (603)886-6005  
[www.hudsonnh.gov](http://www.hudsonnh.gov)

TOWN OF HUDSON  
 SEP 23 2020  
 Zoning Department



Town of Hudson

**REQUEST FOR ZONING and/or PLANNING INFORMATION / DETERMINATION**

#20-102

Date of request

September 9th, 2020

Property Location

3 Spruce St Hudson NH 03051

Map \_\_\_\_\_ Lot 174

Zoning District if known

TR - Town Residential

**Type of Request**

- Zoning District Determination  Use Determination  Set-Back Requirements  
 Process for Subdivision/ Site Plan if required  
 Other

Description of request / determination: (Please attach all relevant documentation)

To add an approximately 30' x 14' addition to the west side of existing structure. The lower level is to accommodate an ADU. The upper level will be split into two rooms, a dining area and a sitting area. The ADU will be approximately 480<sup>sq</sup>ft. In trying to keep the overall appearance as a "Single Family" causes the bump out into the front yard. Otherwise there is a clear and distinct walkway in front of the house, in keeping with one driveway allowed

**Applicant Contact Information:**

Name:

Richard Garland

Address:

3 Spruce St Hudson NH 03051

Phone Number:

978-771-1329

**For Office use**

ATTACHMENTS: TAX CARD  GIS

NOTES: \_\_\_\_\_

ZONING DETERMINATION LETTER SENT  DATE: \_\_\_\_\_



197 174 000  
MAP LOT SUB

1 of 1 RESIDENTIAL  
CARD Hudson

Total Card / Total Parcel  
APPRAISED: 232,800 / 232,800  
USE VALUE: 232,800 / 232,800  
ASSESSED: 232,800 / 232,800

PROPERTY LOCATION

No	Alt No	Direction/Street/City
3		SPRUCE ST, HUDSON

OWNERSHIP

Owner 1:	GARLAND, RICHARD L.
Owner 2:	GARLAND, RAYANNE C.
Owner 3:	
Street 1:	3 SPRUCE STREET
Street 2:	
Twn/City:	HUDSON
St/Prov:	NH
Postal:	03051

PREVIOUS OWNER

Owner 1:	DORT, JENNIFER M. -
Owner 2:	-
Street 1:	3 SPRUCE STREET
Twn/City:	HUDSON
St/Prov:	NH
Postal:	03051

NARRATIVE DESCRIPTION

This parcel contains .23 ACRES of land mainly classified as ONE FAMILY with a RAISED RANCH Building built about 1962, having primarily WOOD SHINGLE Exterior and 1224 Square Feet, with 1 Unit, 2 Baths, 0 3/4 Bath, 0 HalfBath, 6 Rooms, and 3 Bdrms.

OTHER ASSESSMENTS

Code	Descrip/No	Amount	Com. Int

PROPERTY FACTORS

Item	Code	Description	%	Item	Code	Description
Z	TR	TOWN RES		water	3	TOWN WATE
				Sewer	2	TOWN SEWE
				Electri		
				Exmpt		
				Topo	4	ROLLING
				Street		
				Gas:		

LAND SECTION (First 7 lines only)

Use Code	Description	LUC Fact	No of Units	Depth / Price/Units	Unit Type	Land Type	LT Factor	Base Value	Unit Price	Adj	Neigh	Neigh Infl	Neigh Mod	Infl 1 %	Infl 2 %	Infl 3 %	Appraised Value	Alt Class %	Spec Land Code	Fact	Use Value	Notes
101	ONE FAMILY		0.23		SITE ACRE SITE			0.110,000.	3.34	RE							84,590				84,600	

IN PROCESS APPRAISAL SUMMARY

Use Code	Land Size	Building Value	Yard Items	Land Value	Total Value	Legal Description	User Acct
101	0.230	146,900	1,300	84,600	232,800		5219
							GIS Ref
							GIS Ref
							Insp Date
							06/04/19

PREVIOUS ASSESSMENT

Tax Yr	Use	Cat	Bldg Value	Yrd Items	Land Size	Land Value	Total Value	Asses'd Value	Notes	Date
2020	101	FV	146,900	1300	.23	84,600	232,800	232,800	Year End Roll	8/27/2020
2020	101	JB	146,900	1300	.23	84,600	232,800	232,800	Year End Roll	5/6/2020
2019	101	FV	146,900	1300	.23	84,600	232,800	232,800	Year End Roll	9/16/2019
2019	101	JB	146,500	1300	.23	84,600	232,400	232,400	Year End Roll	5/8/2019
2018	101	FV	146,500	1300	.23	84,600	232,400	232,400	Year End Roll	8/27/2018
2018	101	JB	146,500	1300	.23	84,600	232,400	232,400	Year End Roll	5/9/2018
2017	101	FV	146,500	1300	.23	84,600	232,400	232,400	Year End Roll	10/26/2017
2017	101	PV	146,500	1300	.23	84,600	232,400	232,400	Year End Roll	8/28/2017

SALES INFORMATION

Grantor	Legal Ref	Type	Date	Sale Code	Sale Price	V	Tst	Verif	Notes
DORT, JENNIFER	8446-2424	1	7/12/2012		219,900	No		No	
BRUCE, ALBERT E	7035-2913	1	8/15/2003		232,000	No		No	
BRUCE, BRENDA L	6419-0133		5/9/2001	FAMILY TRANS		No		No	
CARLSON, DAVID	6169-0915		10/15/1999		146,500	No		No	
CARLSON, DAVID	5788-0140		2/6/1997	UNCLASSIFIED		No		No	
	5089-0632		2/28/1989		100	No		No	

BUILDING PERMITS

Date	Number	Descrip	Amount	C/O	Last Visit	Fed Code	F. Descrip	Comment

ACTIVITY INFORMATION

Date	Result	By	Name
6/4/2019	Meas/Inspect	19	KRT2
6/4/2019	Measured	19	KRT2
6/20/2017	Field Review	12	TECH ASMNT
7/30/2012	Sale Data V	12	TECH ASMNT
11/17/2011	Measured	14	APPR TECH 4
7/17/2007	Measured	10	APPRAISER II
1/9/2006	New Maps	1	CHIEF ASSESS
7/13/2004	Inspected	5	NEMC
5/11/2004	Measured	5	NEMC



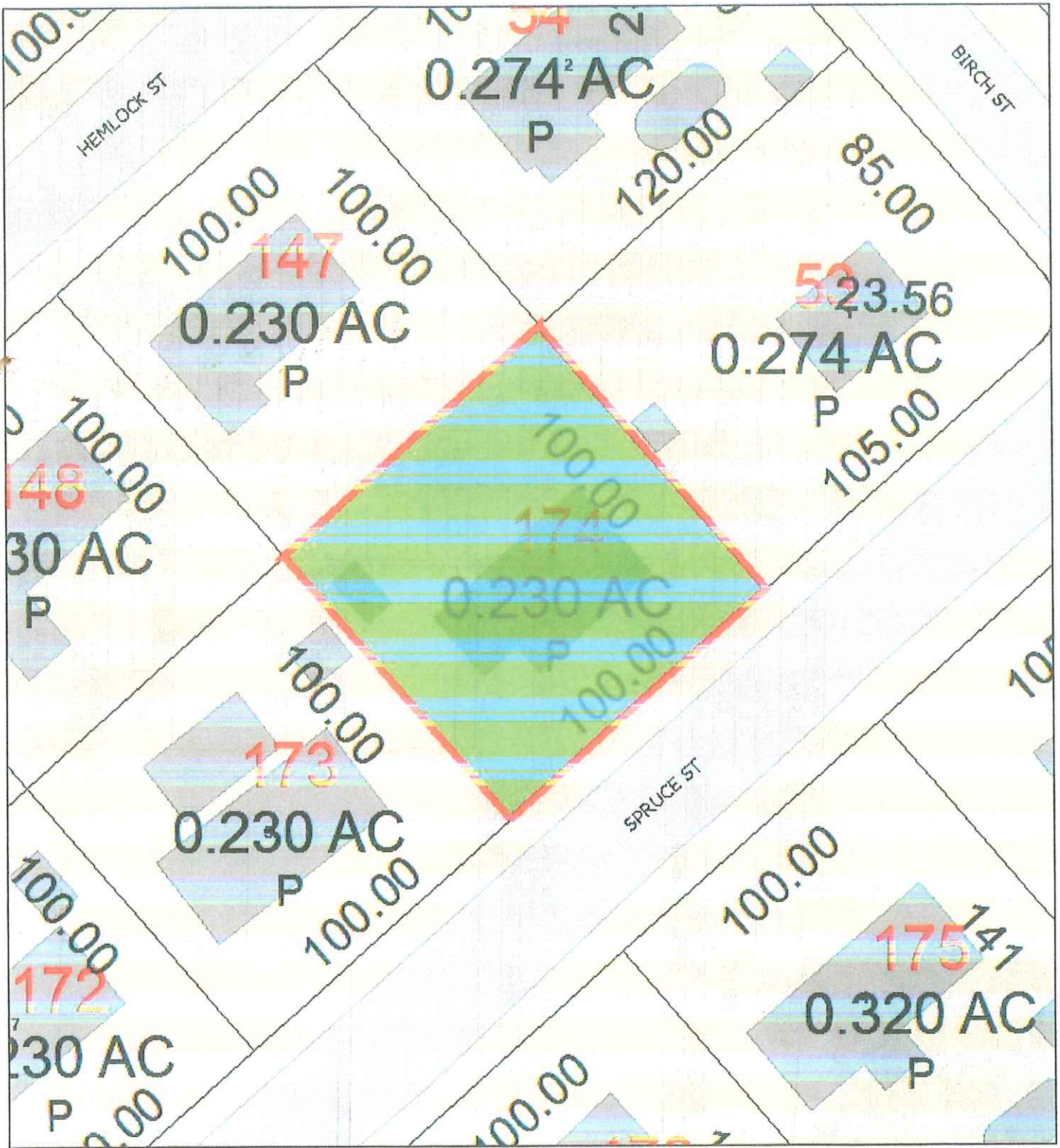
USER DEFINED

Prior Id # 1:	0045
Prior Id # 2:	0135
Prior Id # 3:	0000
Prior Id # 1:	
Prior Id # 2:	
Prior Id # 3:	
Prior Id # 1:	
Prior Id # 2:	
Prior Id # 3:	
ASR Map:	
Fact Dist:	
Reval Dist:	
Year:	
Land Reason:	
Bld Reason:	
Civil District:	
Ratio:	





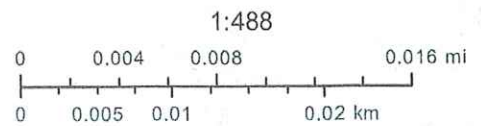
3 Spruce Street ( Map/Lot 197-174-000)



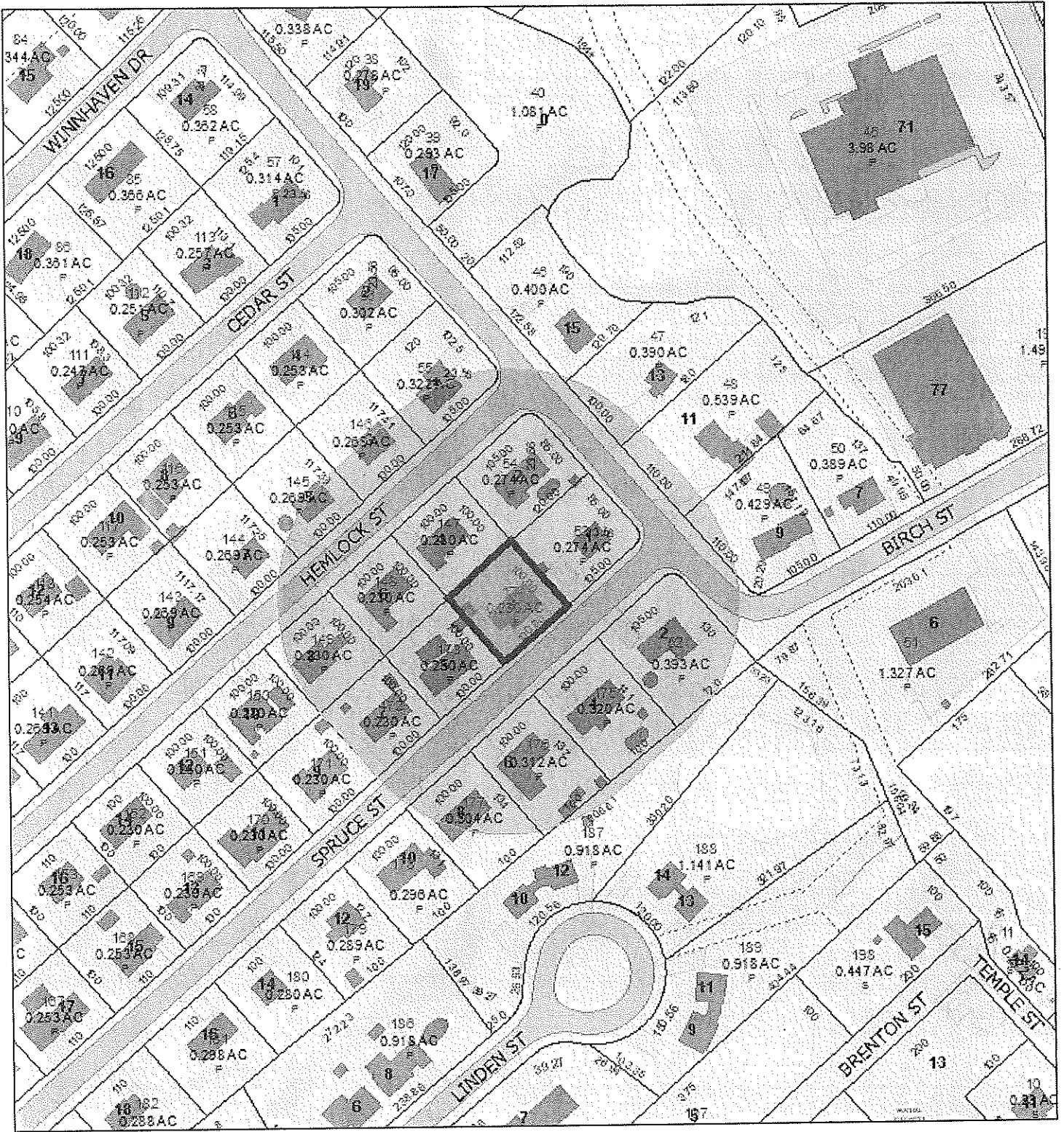
November 5, 2020

Legend

 Parcels



# 3 Spruce St (Map/lot 197-174-000)



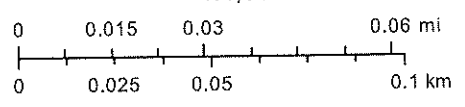
March 1, 2021

Legend

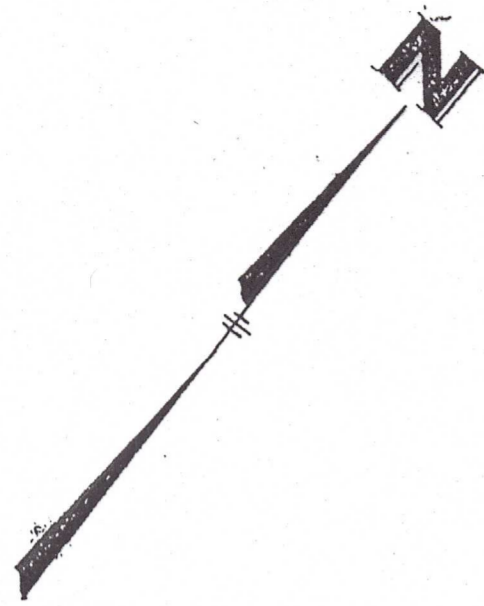
----- Easement\_Lines

▭ Parcels

1:1,954







TAX MAP 197 / LOT 147  
WILLIAM SQUEGLIA  
4 HEMLOCK STREET  
HUDSON, NH 03051

OWNER OF RECORD: RICHARD & RAYANNE GARLAND  
3 SPRUCE STREET  
HUDSON, NH 03051

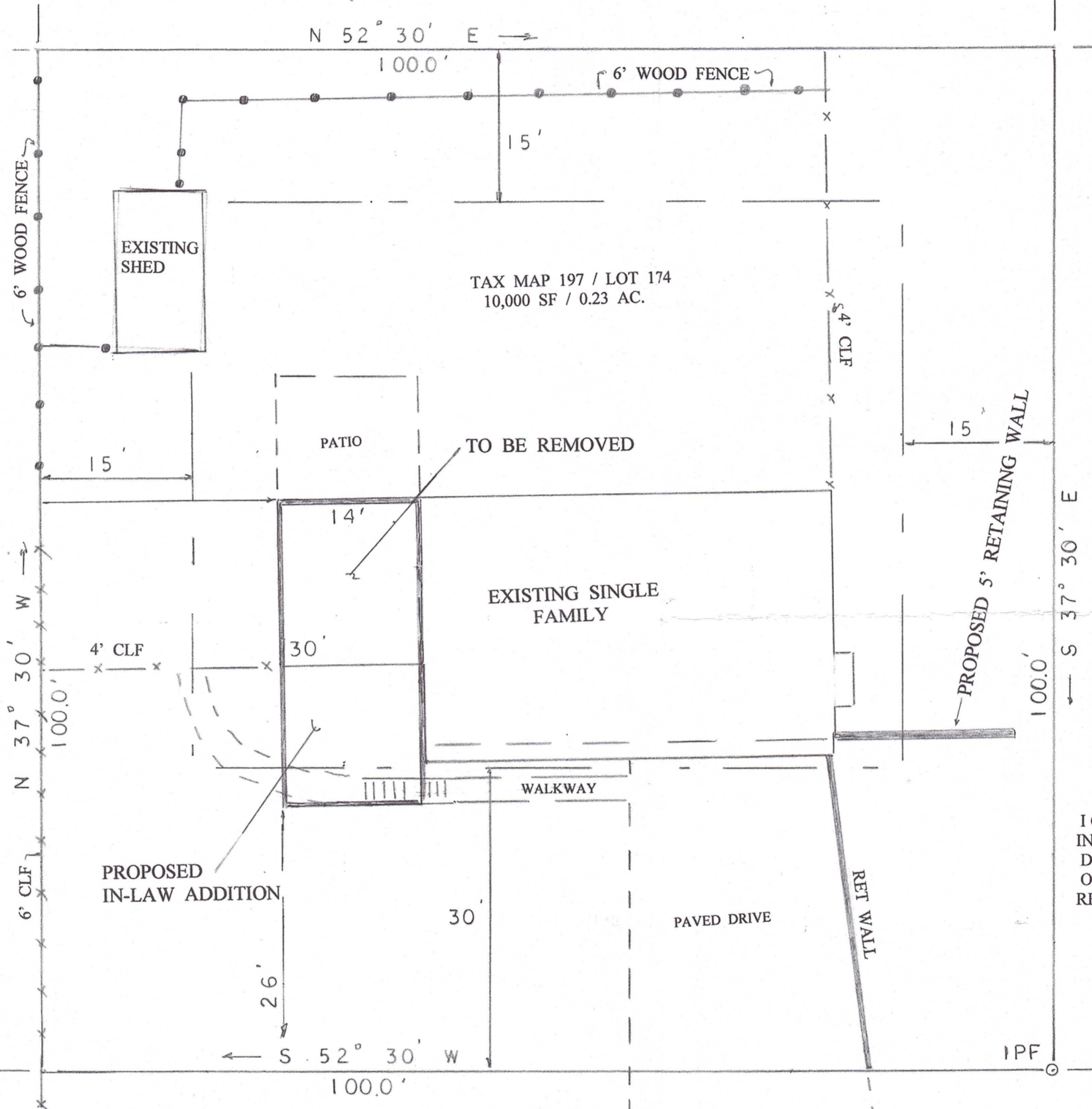
DEED REFERENCE: BOOK 8446 PAGE 2424

PLAN REFERENCE: HCRD # 2455 LOT #11  
DATED DECEMBER 1962

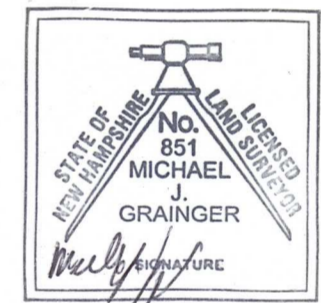
MINIMUM SETBACKS: FRONT - 30 FEET  
SIDE - 15 FEET  
REAR - 15 FEET

THE PURPOSE OF THIS PLAN IS TO SHOW A  
PROPOSED IN-LAW ADDITION.

TAX MAP 197 / LOT 173  
MICHAEL & TAMMY OUELLETTE  
5 SPRUCE STREET  
HUDSON, NH 03051



TAX MAP 197 / LOT 53  
ROBERT & CHERYL LEFRANCOIS  
1 SPRUCE STREET  
HUDSON, NH 03051



I CERTIFY THAT THIS PLAN WAS PREPARED FROM THE BOUNDARY  
INFORMATION AND A FIELD SURVEY MADE ON THE GROUND  
DURING JULY 2020, HAVING A MAXIMUM ERROR OF CLOSURE  
OF 1 IN 10,000, IN ACCORDANCE WITH THE TOWN OF HUDSON  
REGULATIONS.

TAX MAP 197 / LOT 174

### PROPOSED PLOT PLAN 3 SPRUCE STREET HUDSON, NH

PREPARED FOR: RICHARD GARLAND  
3 SPRUCE STREET  
HUDSON, NH 03051

JULY 16, 2020

SCALE: 1" = 10'

M. J. GRAINGER ENGINEERING, INC.  
PROFESSIONAL ENGINEERS - SURVEYORS - PLANNERS  
220 DERRY ROAD HUDSON, NH 03051 (603) 882-4359

JN 20-123



## SPRUCE STREET

TAX MAP 197 / LOT 175  
JOHN & ALICIA BOUDON  
4 SPRUCE STREET  
HUDSON, NH 03051



Printed  
3/10/2021  
9:13AM  
Created  
3/10/2021  
9:02 AM

# Transaction Receipt

Town of Hudson, NH  
12 School Street  
Hudson, NH 03051-4249

Receipt# 632,682  
tgoodwyn

<u>Description</u>		<u>Current Invoice</u>	<u>Payment</u>	<u>Balance Due</u>
1.00	Zoning Application- 03/25/21 ZBA Meeting 3 Spruce Street Map/Lot 197-174-000			
	Variance Application	0.00	174.5000	0.00
	Equitable Waiver	0.00	130.0000	0.00
			Total:	304.50

Remitter	Pay Type	Reference	Tendered	Change	Net Paid
Elaine Graves	CHECK	CHECK # 1387	174.50	0.00	174.50
Elaine Graves	CHECK	CHECK # 1388	130.00	0.00	130.00
			Total Due:		304.50
			Total Tendered:		304.50
			Total Change:		0.00
			Net Paid:		304.50



# TOWN OF HUDSON

## Land Use Division

12 School Street • Hudson, New Hampshire 03051 • Tel: 603-886-6008 • Fax: 603-594-1142



### Zoning Administrator Staff Report

Meeting Date: March 25, 2021 *BB 3-16-21*

**Case 129-094 (03-25-21):** Roger A. Chopelas, 11 St Laurent Dr., Hudson, NH requests a Variance to construct an 874 sqft. Accessory Dwelling Unit where 750 sqft. maximum is allowed. [Map 129, Lot 094-000; Zoned Residential-Two (R-2); HZO Article XIII A, Accessory Dwelling Units, §334-73.3 H, Provisions].

**Address:** 11 St Laurent Dr

**Zoning district:** Residential Two (R-2)

#### Summary:

Applicant requests a Variance to allow an expansion of an existing ADU for a maximum of 874 sqft.

#### Property description:

Developed non-conforming lot of record (area), with 150 ft frontage where 120 ft required and 30,448 sq ft where 43,560 sq ft required. Single family w/ existing ADU.

Z.A. Note: This property would be able to have two families by right in this zone: R-2.

#### HISTORY:

Zoning Determination #19-064 dated May 30, 2019: "conversion to two family?"

B.P. #2019-00379 issued 5/20/2019 "create 594 sqft ADU".

Denial for C.O.(BP #2019-00379): "ADU too large, >750 sqft".

Owner built wall-separating ADU from main house (access around and outside).

C.O. (BP #2019-00379) issued 11/23/2020.

#### Attachments:

"A" Assessing record, listed as #104 (2 family).

"B" Zoning Determination #19-064.

"C" B.P. #2019-00379.

"D" Zoning Determination #20-123: "C.O. denial".

"E" C.O. for BP # 2019-00379.

**Previous Assessments**

Year	Code	Building	Yard Items	Land Value	Acres	Special Land	Total
2020	104 - TWO FAM	154,300	3,700	120,100	0.70	0.00	278,100
2020	104 - TWO FAM	154,300	3,700	120,100	0.70	0.00	278,100
2019	101 - ONE FAMILY	144,800	3,700	109,200	0.70	0.00	257,700
2019	101 - ONE FAMILY	144,800	3,700	109,200	0.70	0.00	257,700
2018	101 - ONE FAMILY	144,800	3,700	109,200	0.70	0.00	257,700
2018	101 - ONE FAMILY	144,800	3,700	109,200	0.70	0.00	257,700
2017	101 - ONE FAMILY	147,600	3,700	109,200	0.70	0.00	260,500
2017	101 - ONE FAMILY	128,300	2,100	104,600	0.70	0.00	235,000
2017	101 - ONE FAMILY	151,200	1,700	109,200	0.70	0.00	262,100
2016	101 - ONE FAMILY	128,300	2,100	104,600	0.70	0.00	235,000
2016	101 - ONE FAMILY	128,300	2,100	104,600	0.70	0.00	235,000
2015	101 - ONE FAMILY	128,300	2,100	104,600	0.70	0.00	235,000
2015	101 - ONE FAMILY	128,300	2,100	104,600	0.70	0.00	235,000
2014	101 - ONE FAMILY	128,300	2,100	104,600	0.70	0.00	235,000
2014	101 - ONE FAMILY	128,300	2,100	104,600	0.70	0.00	235,000
2013	101 - ONE FAMILY	128,300	2,100	104,600	0.70	0.00	235,000
2013	101 - ONE FAMILY	128,300	2,100	104,600	0.70	0.00	235,000
2012	101 - ONE FAMILY	128,300	2,100	104,600	0.70	0.00	235,000
2012	101 - ONE FAMILY	150,300	2,300	133,700	0.70	0.00	286,300
2011	101 - ONE FAMILY	150,300	2,300	133,700	0.70	0.00	286,300
2011	101 - ONE FAMILY	150,300	2,300	133,700	0.70	0.00	286,300
2010	101 - ONE FAMILY	150,300	2,300	133,700	0.70	0.00	286,300
2010	101 - ONE FAMILY	150,300	2,300	133,700	0.70	0.00	286,300
2009	101 - ONE FAMILY	150,700	2,300	133,700	0.70	0.00	286,700
2008	101 - ONE FAMILY	150,700	2,300	133,700	0.70	0.00	286,700
2008	101 - ONE FAMILY	150,700	2,300	133,700	0.70	0.00	286,700
2007	101 - ONE FAMILY	150,700	2,300	133,700	0.70	0.00	286,700
2007	101 - ONE FAMILY	160,200	2,400	104,600	0.70	0.00	267,200
2006	101 - ONE FAMILY	160,200	2,400	104,600	0.70	0.00	267,200
2006	101 - ONE FAMILY	160,200	2,400	104,600	0.70	0.00	267,200
2005	101 - ONE FAMILY	160,200	2,400	104,600	0.70	0.00	267,200
2005	101 - ONE FAMILY	160,200	2,400	104,600	0.70	0.00	267,200
2004	101 - ONE FAMILY	160,200	2,400	104,700	0.70	0.00	267,300
2004	101 - ONE FAMILY	126,900	1,600	81,900	0.70	0.00	210,400
2003	101 - ONE FAMILY	126,900	1,600	81,900	0.70	0.00	210,400
2003	101 - ONE FAMILY	126,900	1,600	81,900	0.70	0.00	210,400
2002	101 - ONE FAMILY	126,900	1,600	81,900	0.70	0.00	210,400
2002	101 - ONE FAMILY	126,900	1,600	81,900	0.70	0.00	210,400
2001	101 - ONE FAMILY	84,600	0	55,100		0.00	139,700
2000	101 - ONE FAMILY	84,000	600	55,100	0.70	0.00	139,700

"A"





# TOWN OF HUDSON

## Land Use Division



12 School Street • Hudson, New Hampshire 03051 • Tel: 603-886-6008 • Fax: 603-594-1142

### Zoning Determination #19-064

May 30, 2019

Roger Chopelas  
11 St Laurent Dr  
Hudson, NH 03051

Re: 11 St Laurent Rd Map 129 Lot 094-000  
**District: Residential Two (R-2)**

Dear Mr. Chopelas,

**Your request:** Can you convert your existing single family to a two family dwelling?

**Zoning Review / Determination:**

This is an existing non-conforming lot of record with 0.699 Acres (where 1 Acre required) and 150 ft of frontage (where 120 ft is required). Two family dwellings are a permitted use per Table of Permitted Principal §334-21.

Any new addition would need to be in compliance with Table 334-27 Table of Minimum Dimensional Requirements, such as front setback of 30 ft, side and rear setbacks of 15 ft. Any deviation from the Zoning Ordinance requirements would require a variance from the Zoning Board of Adjustment.

Sincerely,

Bruce Buttrick, MCP  
Zoning Administrator/Code Enforcement Officer  
(603) 816-1275  
[bbuttrick@hudsonnh.gov](mailto:bbuttrick@hudsonnh.gov)

cc: Public Folder  
Brian Groth – Town Planner  
File

*NOTE: this determination may be appealed to the Hudson Zoning Board of Adjustment within 30 days of the receipt of this letter.*

"B."





Town of Hudson, NH  
**Building Permit**  
 Hudson Fire - Inspectional Services Division  
 12 School Street  
 Hudson, NH 03051  
 603-886-6005

Permit Number:  
 2019-00379  
 Date of Issue  
 5/20/2019  
 Expiration Date  
 11/16/2019

Owner: CHOPELAS, ROGER A.

Applicant: CHOPELAS, ROGER A.

Location of Work: 11 ST LAURENT DR (Unit or Building)  
 (No. and Street)

Description of Work: Add kitchen, move laundry, add one exterior door to in basement.

**ZONING DATA:** District: R-2 Map/Lot: 129-094-000

CONTRACTOR: Roger Chopelas 603-809-2861

**REMARKS:**

A FINAL INSPECTION IS REQUIRED BY THE INSPECTIONAL SERVICES DEPARTMENT PRIOR TO OCCUPANCY

• **Building Permit Issuance Conditions are as follows:**

- THIS PERMIT CONVEYS NO RIGHT TO OCCUPY ANY STREET, ALLEY OR SIDEWALK OR ANY PART THEREOF, EITHER TEMPORARILY OR PERMANENTLY.
- THE ISSUANCE OF THIS PERMIT DOES NOT RELEASE THE APPLICANT FROM THE CONDITIONS OF ANY APPLICABLE SUBDIVISION AND OR SITE PLAN APPROVAL REQUIREMENTS.
- APPROVED PLANS MUST BE RETAINED ON JOB AND THIS CARD KEPT POSTED UNTIL FINAL INSPECTION HAS BEEN MADE.
- NO BUILDING SHALL BE OCCUPIED OR USED UNTIL A FINAL INSPECTION IS PERFORMED.
- WHEN APPLICABLE, SEPARATE PERMITS ARE REQUIRED FOR ELECTRICAL, PLUMBING, AND MECHANICAL INSTALLATIONS.
- WORK MUST BE STARTED WITHIN 6 MONTHS FROM THE DATE OF PERMIT ISSUANCE.
- ALL CONSTRUCTION MUST CONFORM TO ALL APPLICABLE STATE OF NEW HAMPSHIRE AND HUDSON TOWN CODES.

**INSPECTION APPROVALS**

Building	_____ / _____ / _____	Date	_____
Plumbing	_____ / _____ / _____	Date	_____
Electrical	_____ / _____ / _____	Date	_____
Fire Sprinklers (rough)	_____ (final)	Date	_____
Other	_____ / _____ / _____	Date	_____

Permit Holder: CHOPELAS, ROGER A.  
 (Taking Responsibility for the Work)  
 Company/Affiliation: Owner Job Site Phone Number:

Constr Cost: \$8,000 Permit Fee: \$39.30 Check No.: Cash: ~~\$0.00~~ \$69.30

The Permit Card Shall be Posted and Visible From the Street During Construction

THIS BUILDING PERMIT AUTHORIZES ALL CODE OFFICIALS, BUILDING INSPECTOR AND ASSESSOR OR THEIR AGENTS TO CONDUCT INSPECTIONS FROM TIME TO TIME DURING AND UPON COMPLETION OF THE WORK FOR WHICH THIS PERMIT IS ISSUED.

		5/20/2019
Code Official	Permit Holder	Date

"Ci"





# TOWN OF HUDSON

## FIRE DEPARTMENT - INSPECTIONAL SERVICES DIVISION

12 School Street · Hudson, New Hampshire 03051 · Tel: 603-886-6005 · Fax: 603-886-1112

RECEIVED

MAY 07 2019

### BUILDING PERMIT APPLICATION - PLEASE PRINT

Address: <u>11 ST. Laurent Dr.</u> Unit # _____	Office use: Map <u>129</u>
Site/Sub Plan: _____ HCRD _____	Lot <u>094</u>
	Zone <u>R-2</u>
	Permit # <u>2019-00379</u>

<b>Residential</b> <input checked="" type="checkbox"/> Single family detached <input type="checkbox"/> Modular Homes <input type="checkbox"/> Duplex <input type="checkbox"/> 3+ family dwelling (# of units _____) <input type="checkbox"/> Other _____	<b>Type of Improvement</b> <input type="checkbox"/> New Building <input type="checkbox"/> Addition <input checked="" type="checkbox"/> Alteration/Renovation <input type="checkbox"/> Repair/Replacement <input type="checkbox"/> Conversion of +/- dwelling units <input type="checkbox"/> Other _____	<input type="checkbox"/> Deck <input type="checkbox"/> Shed <input type="checkbox"/> Swim Pool <input type="checkbox"/> Garage <input type="checkbox"/> Carport
---	---	---

<b>Commercial</b> <input type="checkbox"/> Office/Bank/Professional <input type="checkbox"/> Hospital/Medical <input type="checkbox"/> Industrial/Warehouse <input type="checkbox"/> Restaurant <input type="checkbox"/> Other _____	<input type="checkbox"/> Garage <input type="checkbox"/> School <input type="checkbox"/> Store <input type="checkbox"/> Utility	<b>Type of Improvement</b> <input type="checkbox"/> New Building <input checked="" type="checkbox"/> Addition <input checked="" type="checkbox"/> Alteration/Renovation <input type="checkbox"/> Repair/Replacement <input type="checkbox"/> Conversion from residential to commercial space <input type="checkbox"/> Other _____	<input type="checkbox"/> Deck <input type="checkbox"/> Shed <input type="checkbox"/> Swim Pool <input type="checkbox"/> Interior Demo
---	--	---	--

Will the applicant/owner manufacture, assemble or produce any product, regardless of water use?

Yes  (Need IDA Form) No  (Need IDA Checklist) \*Please consult the Town Engineer at 886-6008 with any questions

<b>Total Cost of Project:</b> \$ <u>8,000</u>	<b>General Description of Work and Use</b> Include dimensions of building, room, shed, pool, etc. List # of bedrooms and bathrooms if new home or added. If use of existing building is being changed, enter proposed use. <u>ADD a Kitchen to the 100% Finished basement to create an ADDITIONAL Living Unit. ADD 1 new exterior door to replace window moves plumbing into washer/dryer room. No footprint or structural changes</u> <u>Adding an ADU of 701 Sq. Ft</u>
--	---

<b>Square Footage</b> Footprint <u>48x30</u> Renovated/added <u>No changes</u> Number of stories <u>2</u> Living area of new home (exclude unfinished areas and garage) <u>2177</u> Total area of bldg _____
---

<b>Principal Type of Frame</b> <input type="checkbox"/> Masonry (wall bearing) <input type="checkbox"/> Reinforced concrete	<input checked="" type="checkbox"/> Wood Frame <input type="checkbox"/> Other-Specify _____	<input type="checkbox"/> Structural steel
---	--	---

<b>Type of Sewage Disposal</b> <input checked="" type="checkbox"/> Town or private company (requires Town permit) <input type="checkbox"/> Private (septic tank, etc.)
--

"C2"





# TOWN OF HUDSON

## FIRE DEPARTMENT - INSPECTIONAL SERVICES DIVISION

12 School Street • Hudson, New Hampshire 03051 • Tel: 603-886-6005 • Fax: 603-594-1142

Type of Water Supply  Town  Private (well, cistern)

Type of Heat Source  Gas  Oil  Other  Electric

	Name	Address	City/State/Zip	Phone
Owner	Roger Chopelas	11 ST. Laurent Dr.	Hudson NH	603 809 2861
Lessee				
Contractor				
Architect				
Engineer				

I hereby certify the owner of record authorizes the proposed work and I have been authorized by the owner to make this application as his agent and to conform to all applicable laws of the Town of Hudson. I hereby attest all statements made on this application are true to the best of my knowledge. The signature on this building permit authorizes all Code Officials, Building Inspector and Assessor or their Agents to conduct inspections from time to time during and upon completion of the work for which this permit is issued. If said structure is commercial or industrial I understand that an as-built plan is required prior to occupancy of the structure.

Signature of applicant Roger Chopelas Date 5-7-19  
 Address 11 ST. Laurent Dr.  
 Email: RL91@comcast.net Phone: 603 809 2861 \* Roger

Filing fee \$ 30.00 Receipt # Add to b.p. fee Date (S)  
 Building permit fee \$ 39.30 Receipt # \_\_\_\_\_ Date \_\_\_\_\_

THIS BUILDING PERMIT IS  
 Issued subject to the following condition(s) \_\_\_\_\_  
 Denied for the following reason(s) \_\_\_\_\_

\* FD #11 Set, 11A will be ADU - walk out No need for liquor license

Plans received 5-7-19 Date 5-7-19  
 Comments: Drawn by building owner

Use group: \_\_\_\_\_  
 Construction type \_\_\_\_\_  
 Live loading \_\_\_\_\_  
 Occupancy load \_\_\_\_\_

Certificate of Occupancy \_\_\_\_\_ Required \_\_\_\_\_ Final Inspection (Building & HFD)  
 Comments: \_\_\_\_\_

Approved \_\_\_\_\_  
 Denied David R. Nelson Date 5-10-19  
 Inspectional Services Official or Designee

\* Electrical Permit, Plumbing Permit, Mechanical Permit, Certificate of Occupancy, Water, Sewer and Driveway are to be applied for separately, when applicable.

"C3"

Bath 50  
 Hall 50  
 Laundry 18  
 Kitchen/Dining 204  
 Bedroom/Living Rm 160

Total 482



Studio style ALU  
 595 up

TOWN OF HUDSON

MAY 14 2019

33  
 5-14-19

Zoning Department

"C4"





# TOWN OF HUDSON

## Land Use Division



12 School Street • Hudson, New Hampshire 03051 • Tel: 603-886-6008 • Fax: 603-594-1142

### Zoning Determination #20-123 Building Permit C.O. application 2019-00379 denial

November 9, 2020

Roger Chopelas  
11 St Laurent Dr  
Hudson, NH 03051

And via email: rc91@comcast.net

Re: 11 St Laurent Dr Map 129 Lot 094-000  
District: Town Residence Two (R-2)

Dear Roger,

**Denied:**

Your final inspection/verification application for C.O # 2019-00379; to finish basement for studio style ADU of 595 sqft. has failed/been denied.

**Zoning Review / Determination:**

Your building permit application plan submitted May 14, 2019 indicates a "studio style ALU 595 sqft". Upon a site inspection today there is no 50 sqft hall as (indicated on the plans submitted), as the hall extends the full length of the basement. There is a door that connects to a bedroom from the 50 sqft bathroom, all these new "rooms" within the newly created ADU is in violation of the maximum allowed sqft of 750 sqft per section §334-73.3 H: *The size of an ADU shall not be less than 350 square feet nor greater than 750 square feet. The size of the principal dwelling shall not be reduced to less than 850 square feet in order to accommodate the creation of an ADU. Measurement of size shall be consistent with Town Assessor's practices.*

You would need to apply for a variance from the Zoning Board of Adjustment, to continue as built, for an ADU as constructed.

*NOTE: this determination may be appealed to the Hudson Zoning Board of Adjustment within 30 days of the receipt of this letter.*

"D"



Town of Hudson, NH  
**CERTIFICATE OF OCCUPANCY**



Hudson Fire - Inspectional Services Division  
12 School Street  
Hudson, NH 03051  
603-886-6005

**Owner, Lessee or Occupant:** CHOPELAS, ROGER A.

**Location of Work:** 11 ST LAURENT DR  
(No. and Street) (Unit or Building)

**Desc of Work:** Create Accessory Dwelling Unit. Add kitchen, move laundry, add one exterior door to in basement.

**Map\Lot:** 129-094-000 **IRC Bldg Code Edition:** 2009

**District:** R-2

**Permit(s):** 2019-00379, 2019-00379-1-PL, 2019-00379-2-MG

**Use Group:**

**Fire Sprinkler System Required:** NO

**Fire Alarm System Required:** NO

This is to certify that CHOPELAS, ROGER A. has\have obtained all final inspections and has been found to substantially conform to all regulations and codes and is hereby approved for occupancy and use, as limited or otherwise noted below.

This Certificate of Occupancy must conform to the Hudson Zoning Ordinance Article XIII.A.

**Date of Issue:** 11/24/2020

**Signed:**

*David R. Yalowitz*  
"E"



TOWN OF HUDSON  
MAR 09 2021

Zoning Department

Original

APPLICATION FOR A VARIANCE

To: Zoning Board of Adjustment  
Town of Hudson

Entries in this box are to be filled out by  
Land Use Division personnel  
Case No. 129-094 (03-25-21)  
Date Filed 3/9/21

Name of Applicant Roger Chopelas Map: 129 Lot: 094 Zoning District: R2

Telephone Number (Home) 603-809-2861 (Work) \_\_\_\_\_

Mailing Address 11 ST. Laurent Dr. Hudson NH 03051

Owner Roger Chopelas

Location of Property 11 ST. Laurent Dr. Hudson NH 03051  
(Street Address)

Roger Chopelas \_\_\_\_\_ 3-8-2021  
Signature of Applicant Date

Roger Chopelas \_\_\_\_\_ 3-8-2021  
Signature of Property-Owner(s) Date

NOTE: Fill in all portions of the Application Form(s) as appropriate. This application is not acceptable unless all required statements have been made. Additional information may be supplied on a separate sheet if space provided is inadequate. If you are not the property owner, you must provide written documentation signed by the property owner(s) to confirm that the property owner(s) are allowing you to speak on his/her/their behalf or that you have permission to seek the described variance.

Items in this box are to be filled out by Land Use Division personnel

<b>COST:</b>			Date received: <u>3/9/21</u>
Application fee:		\$130.00	
<u>7</u> Direct Abutters x \$4. <sup><u>15</u></sup> =		<u>29.05</u>	
<u>6</u> Indirect Abutters x \$0.55 =		<u>3.30</u>	
<b>Total amount due:</b>		<u>\$162.35</u>	Amt. received: \$ <u>162.35</u> <u>check # 103</u>
Received by: _____	<u>(TSB)</u>		Receipt No.: <u>632,752</u>

By determination of the Zoning Administrator or Building Inspector, the following Departmental review is required:

\_\_\_\_\_ Engineering \_\_\_\_\_ Fire Department \_\_\_\_\_ Health Officer \_\_\_\_\_ Planner

# TOWN OF HUDSON, NH

## NOTICE TO APPLICANTS

The following **requirements/checklist** pertain to the Town of Hudson, NH, Zoning Board of Adjustment applications, as applicable:

Applicant Initials		Staff Initials
<u>RC</u>	The applicant must provide 13 copies including the original of the filled-out application form, together with this checklist and any required attachments listed. (Paper clips, no staples)	<u>TG</u>
<u>RC</u>	Before making the 13 copies, please review the application with the Zoning Administrator or staff.	<u>TG</u>
<u>RC</u>	A separate application shall be submitted for each request, with a separate application fee for each request i.e.: Variance, Special Exception, Home Occupation Special Exception, Wetland Special Exception, Appeal from an Administrative Decision, and Equitable Waiver but only one abutter notification fee will be charged for multiple requests. If paying by check, make the check payable to the Town of Hudson.	<u>TG</u>
<u>N/A/RC</u>	If the applicant is not the property owner(s), the applicant must provide to the Town written authorization, signed and dated by the property owner(s), to allow the applicant or any representative to apply on the behalf of the property owner(s). ( <b>NOTE:</b> if such an authorization is required, the Land Use Division will not process the application until this document has been supplied.)	<u>N/A</u>
<u>RC</u>	Provide two (2) sets of mailing labels from the abutter notification lists (Pages 4 & 5) prepared by applicant, with the proper mailing addresses, must be dated within (30) thirty days of submittal of the application. The abutter lists can be obtained from the assessor's office. ( <b>NOTE:</b> the Land Use Division cannot process your application without the abutter lists. It is the applicant's responsibility to ensure that the abutter lists are complete and correct. If at the time of the hearing any applicable property owner is found not to have been notified because the lists are incomplete or incorrect, the Zoning Board will defer the hearing to a later date, following notification of such abutters.)	<u>TG</u>
<u>RC</u>	A copy of both sides of the assessor's card shall be provided. ( <b>NOTE:</b> these copies are available from the Assessor's Office)	<u>TG</u>
<u>RC</u>	A copy of the Zoning Administrator's correspondence confirming either that the requested use is not permitted or that action by the Zoning Board of Adjustment is required must be attached to your application.	<u>TG</u>
<u>N/A</u>	For a Wetland Special Exception, a letter or a copy of the relevant decision from the Hudson Conservation Commission shall be attached to the application for existing single-family and duplex residential uses. All other Wetland Special Exceptions (multifamily, commercial, or industrial uses) must have letters both from the Conservation Commission and from the Planning Board.	<u>N/A</u>

**PLOT PLAN-**

- N/A* Except for requests pertaining to above-ground pools, sheds, decks and use variances, the application must include a copy of a certified plot plan from a licensed land surveyor. The required plot plan shall include all of the items listed below. Pictures and construction plans will also be helpful. (NOTE: it is the responsibility of the applicant to make sure that all of the requirements are satisfied. The application may be deferred if all items are not satisfactorily submitted):
- a) The plot plan shall be drawn to scale on an 8 1/2" x 11" or 11" x 17" sheet with a North pointing arrow shown on the plan.
  - b) The plot plan shall be up-to date and dated, and shall be no more than three years old.
  - c) The plot plan shall have the signature and the name of the preparer, with his/her/their seal.
  - d) The plot plan shall include lot dimensions and bearings, with any bounding streets and with any ~~rights-of-way~~ and their widths as a minimum, and shall be accompanied by a copy of the GIS map of the property. (NOTE: copies of the GIS map can be obtained at the Land Use Division.) *TC*
  - e) The plot plan shall include the location and dimensions of existing or required services, the area (total square footage), all buffer zones, natural features, any landscaped areas, any recreation areas, any safety zones, all signs, streams or other wetland bodies, and any drainage easements.
  - f) The plot plan shall include all existing buildings or other structures, together with their dimensions and the distances from the lot lines, as well as any encroachments.
  - g) The plot plan shall include all proposed buildings, structures, or additions, marked as "PROPOSED," together with all applicable dimensions and encroachments.
  - h) The plot plan shall show the building envelope as defined from all the setbacks required by the zoning ordinance.
  - i) *N/A* The plot plan shall indicate all parking spaces and lanes, with dimensions.

*N/A see Proposed Flood Plan attached.*

**The applicant has signed and dated this form to show his/her awareness of these requirements.**

*Roger Chapin*  
Signature of Applicant(s)

3-7-2001  
Date

The Land Use Division will schedule a public hearing at the next available meeting of the Hudson Zoning Board of Adjustment for your properly-completed application. Applications are scheduled on a first-come, first-served basis. Public notice of the hearing will be posted on public bulletin boards in the Town Hall, the Post Office, and the Rogers Library and also printed in a newspaper, and a notice will be mailed to the applicant, all abutters, and any other parties whom the Board may deem to have an interest.

After the public hearing, the Board will deliberate and then reach a decision either to grant the request (perhaps with stipulations to make it palatable) or to deny the request—or to defer final action to another meeting, or perhaps to accept a request for withdrawal. You will be sent a Notice of Decision during the following week.

If you believe that the Board's decision is wrong, you have the right to appeal. In addition, any third party/parties affected by the decision also has/have the right to appeal the decision of your case. To appeal, you must first ask the Board for a rehearing; this motion for rehearing may be in the form of a letter to the Board. The rehearing request must be made in writing within thirty (30) days following the Board's decision, and must set forth the grounds on which it is claimed the decision is unlawful or unreasonable.

The Board may grant such a rehearing if, in the Board's opinion, good reason is stated in the motion. In general, the Board will not allow a rehearing unless a majority of its sitting members conclude either that the protested decision was illegal or unreasonable or that the request for rehearing demonstrates the availability of new evidence that was not available at the original hearing. The Board will not reopen a case based on the same set of facts unless it is convinced that an injustice would be created by not doing so. Whether or not a rehearing is held, you must have requested one before you can appeal the decision to the Court(s). When a rehearing is held, the same procedure is followed as for the first hearing, including public notice and notice to abutters.

Please refer to NH RSA Chapter 677 for more detail on rehearing and appeal procedures.

**ALL DIRECT ABUTTERS**

List name(s) and mailing addresses of the owner(s) of record of the property and all direct abutters as of the time of the last assessment of taxation made by the Town of Hudson, including persons whose property is either contiguous or separated from the subject tract of land by a street or stream. If at the time of your hearing any applicable property owner is found not to have been notified because your lists are incorrect or incomplete, the Zoning Board will defer your hearing to a later date, following notification of such abutters. (Use additional copies of this page if necessary)

MAP	LOT	NAME OF PROPERTY OWNER	MAILING ADDRESS
138	09	Guinevere Stralk Dmytro VOIKOV	8 Forest Rd Hudson NH 03051
138	10	Paul, Sandra Martinage	10 Forest Rd Hudson NH 03051
129	95	Ken, Kim Magdore	9 St. Laurent Dr. Hudson NH 03051
129	59	Dan, Christina Magovern	12 St. Laurent Dr Hudson NH 03051
129	60	Tim, Susan Hogan	14 St. Laurent Dr. Hudson NH 03051
129	93	Valecia Holm Steven Roy	15 St. Laurent Dr. Hudson NH 03051
129	94	Roger Chopelas	11 St. Laurent Dr. Hudson NH 03051


Applicant

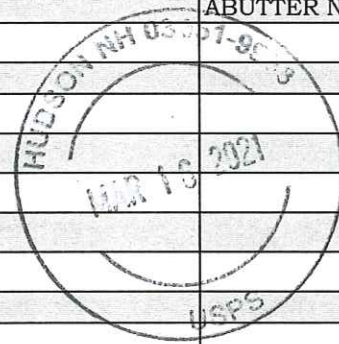


**ALL INDIRECT ABUTTERS WITHIN 200 FEET**

List name(s) and mailing addresses of all indirect abutters (those whose property is not contiguous but is within 200 feet from the property in question) as of the time of the last assessment of taxation made by the Town of Hudson. If at the time of your hearing any applicable property owner is found not to have been notified because your lists are incorrect or incomplete, the Zoning Board will defer your hearing to a later date, following notification of such abutters. (Use additional copies of this page if necessary)

MAP	LOT	NAME OF PROPERTY OWNER	MAILING ADDRESS
138	08	Joe, Helen Donisi	6 Forest Rd Hudson NH 03051
129	97	Tim, Jen Casey	12 Forest Rd. Hudson NH 03051
129	96	Remi Fauteux	7 St. Laurent Dr. Hudson NH 03051
129	58	James, Kathleen Higgins	10 St. Laurent Dr. Hudson NH 03051
129	61	Lucienne Regney	16 St. Laurent Dr. Hudson NH 03051
129	92	Victoria Brown	17 St. Laurent Dr. Hudson NH 03051

SENDER:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - CERTIFIED MAIL	Case# 129-094 11 St Laurent Dr. Map 129/Lot 094-000	VARIANCE 1 of 1
ARTICLE NUMBER	Name of Addressee, Street, and post office address	03/25/2021 ZBA Meeting		
1	7018 1130 0001 8114 0064 CHOPELAS, ROGER A. 11 ST LAURENT DR., HUDSON, NH 03051	APPLICANT NOTICE MAILED		
2	7018 1130 0001 8114 0071 STRACK, GUINEVERE MARIE; VOLKOV, DMYTRO 8 FOREST ROAD, HUDSON, NH 03051	ABUTTER NOTICE MAILED		
3	7018 1130 0001 8114 0088 MARTINAGE, PAUL H., JR. & SANDRA L., TRUSTEES; MARTINAGE FAMILY REV TRUST 10 FOREST ROAD, HUDSON, NH 03051	ABUTTER NOTICE MAILED		
4	7018 1130 0001 8114 0095 MADORE, KENNETH J.; MADORE, KIM A. 9 ST LAURENT DRIVE, HUDSON, NH 03051	ABUTTER NOTICE MAILED		
5	7018 1130 0001 8114 0101 MAGOVERN, DANIEL R.; MAGOVERN, CHRISTINA L. 12 ST LAURENT DRIVE, HUDSON, NH 03051	ABUTTER NOTICE MAILED		
6	7018 1130 0001 8114 0118 HOGAN, TIMOTHY J.; HOGAN, SUSAN S. 14 ST LAURENT DRIVE, HUDSON, NH 03051	ABUTTER NOTICE MAILED		
7	7018 1130 0001 8114 0125 HOLM, VALECIA; ROY, STEVEN 15 ST LAURENT DRIVE, HUDSON, NH 03051	ABUTTER NOTICE MAILED		
8				
9				
10				
11				
12				
	<b>Total Number of pieces listed by sender</b> 7	<b>Total number of pieces rec'vd at Post Office</b> 7	<b>Postmaster (receiving Employee)</b> 	



SENDER:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - FIRST CLASS MAIL	Case# 129-094 11 St Laurent Dr. Map 129/Lot 094-000	VARIANCE 1 of 1
ARTICLE NUMBER	Name of Addressee, Street, and post office address		03/25/2021 ZBA Meeting	
1	Mailed First Class	DONISI, JOSEPH R.; DONISI, HELEN M. 6 FOREST ROAD, HUDSON, NH 03051	ABUTTER NOTICE MAILED	
2	Mailed First Class	CASEY, TIMOTHY P.; CASEY, JENNIFER L. 12 FOREST ROAD, HUDSON, NH 03051	ABUTTER NOTICE MAILED	
3	Mailed First Class	FAUTEUX, REMI 7 ST LAURENT DRIVE, HUDSON, NH 03051	ABUTTER NOTICE MAILED	
4	Mailed First Class	HIGGINS, JAMES W.; HIGGINS, KATHLEEN E. 10 ST LAURENT DRIVE, HUDSON, NH 03051	ABUTTER NOTICE MAILED	
5	Mailed First Class	REGNERY, LUCIENE C. 16 ST. LAURENT DR., HUDSON, NH 03051	ABUTTER NOTICE MAILED	
6	Mailed First Class	BROWN, VICTORIA L. 17 ST. LAURENT DR., HUDSON, NH 03051	ABUTTER NOTICE MAILED	
7				
8				
9				
10				
11				
12				
13				
14				
15				
	Total Number of pieces listed by sender 6	Total number of pieces rec'd at Post Office <b>6</b>	Postmaster (receiving Employee)	

TOWN OF HUDSON  
MAR 16 2021

Zoning Department  
Mailed  
**6** First class.

Non-Direct First Class

APPLICATION FOR A VARIANCE

This form constitutes a request for a variance from the literal provisions of the Hudson Zoning Ordinance Article XIII A of HZO Section(s) 334-73.3 H in order to permit the following change or use:

Allow ADU use of 874 sq. Ft. as measured

You must attach to this application a copy of some form of determination that the proposed change or use is not permitted without a variance, consisting of a denial in writing of a building permit or use authorization by the Zoning Administrator, with the reasons for the denial being cited thereon.

**FACTS SUPPORTING THIS REQUEST:**

The power to grant variances from the local zoning ordinances is established in NH RSA 674:33 I (b), as follows:

- I. "The Zoning Board of Adjustment shall have the power to: ....
  - (b) Authorize upon appeal in specific cases a variance from the terms of the zoning ordinance if:
    - (1) The variance will not be contrary to the public interest;
    - (2) The spirit of the ordinance is observed;
    - (3) Substantial justice is done;
    - (4) The values of surrounding properties are not diminished; and
    - (5) Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship.
      - (A) For purposes of this subparagraph, "unnecessary hardship" means that, owing to special conditions of the property that distinguish it from other properties in the area:
        - (i) No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property; and
        - (ii) The proposed use is a reasonable one.
      - (B) If the criteria in subparagraph (A) are not established, an unnecessary hardship will be deemed to exist if, and only if, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable a reasonable use of it.

The definition of "unnecessary hardship" set forth in subparagraph (5) shall apply whether the provision of the ordinance from which a variance is sought is a restriction of use, a dimensional or other limitation on a permitted use, or any other requirement of the ordinance.



New Hampshire case law has established, on the basis of the preceding statute and/or its precedent versions, that all of the following requirements must be satisfied in order for a Zoning Board of Adjustment to grant a variance. You must demonstrate by your answers in the following blanks that you do or will meet each and every requirement; do not presume or say that a requirement does not apply, or your request will be disqualified. Note that your answers here can be summary in nature, and you can provide additional testimony at the time of your hearing.

1. Granting of the requested variance will not be contrary to the public interest, because:  
(Explain why you feel this to be true—keeping in mind that the proposed use must not conflict with the explicit or implicit purpose of the ordinance and that it must not alter the essential character of the neighborhood, threaten public health, safety, or welfare, or otherwise injure “public rights.”)  
This property is existing and currently approved as an ADU. The home was in poor condition when I bought it 4 years ago and today adds value to the neighborhood. No changes in footprint or driveway or front face of home. This home is an asset to the neighborhood and town. The housing prices and lack of affordable housing indicate the need for ADUs.
2. The proposed use will observe the spirit of the ordinance, because:  
(Explain why you feel this to be true—keeping in mind that, as detailed above, the proposed use must not conflict with the explicit or implicit purpose of the ordinance and must not alter the essential character of the neighborhood, threaten public health, safety, or welfare, or otherwise injure “public rights.”)  
No more than 2 occupants will live in this ADU. The lower level was mostly finished before I bought it and the fact that it was mentioned in the denial as an accusation that I finished the bedroom during construction is false. This house is located in R2 zone and zoning opinion is attached (May 30 2019)
3. Substantial justice would be done to the property-owner by granting the variance, because:  
(Explain why you believe this to be true—keeping in mind that the benefits to the applicant must not be outweighed by harm to the general public or to other individuals.)  
Due to the unnecessary requirement to build walls blocking my access to the back rooms from inside I now have to walk outside to enter the storage areas or access the HVAC room. This home is in current partial use and approving the variance will benefit the owner.
4. The proposed use will not diminish the values of surrounding properties, because:  
(Explain why you believe this to be true—keeping in mind that the Board will consider expert testimony but also may consider other evidence of the effect on property values, including personal knowledge of the members themselves.)  
see Attached opinions to Matt LaFleur evolve mortgage  
© Carol Griffin Remax Realty  
I bought this home in terrible condition with known zoning issues which was causing complaints and the previous owner had broken down cars and created an illegal and dangerous kitchen like area in the basement my neighbors clapped and commented positively when I removed the overgrown trees and shrubs.

5. Special conditions exist such that literal enforcement of the ordinance results in **unnecessary hardship**, because:

(Explain why you believe this to be true—keeping in mind that you must establish that, because of the special conditions of the property in question, the restriction applied to the property by the ordinance does not serve the purpose of the restriction in a “fair and reasonable” way *and also* that you must establish that the special conditions of the property cause the proposed use to be reasonable. Alternatively, you can establish that, because of the special conditions of the property, there is no reasonable use that can be made of the property that would be permitted under the ordinance.)

my home is a single family with approved (see attached C.O. dated 11-24-2020) which I was required to wall off the basement to get approved. This home is located in R-2 see attached zoning opinion dated may 30 2020 which states the 2 family possibility. I do not want a 2 family. The ADU rules require less than 2 or less occupants which is better for the neighborhood and town. If I have to go into the storage or HVAC room I go outside in rain / snow I applied for all applicable permits and hired professionals (local) to complete the work. I value codes, permits and town standards and never violated any of them. Approving this request will not change anything outside of my home. My neighbors comment all the time how nice my home looks and how I am a good neighbor. The 2 opinions I got from housing professionals support this variance. My disabled sister will move in once if this is approved. I did not change the footprint or exterior of the home.

Requests before the Zoning Board of Adjustment may require connection to the municipal sewer system. Please contact the Town Engineer's Office prior to submittal of this application to determine if connection is required or will be allowed, together with the procedure for such application.



# TOWN OF HUDSON

## Land Use Division



12 School Street • Hudson, New Hampshire 03051 • Tel: 603-886-6008 • Fax: 603-594-1142

**Zoning Determination #20-123  
Building Permit C.O. application 2019-00379 denial**

November 9, 2020

Roger Chopelas  
11 St Laurent Dr  
Hudson, NH 03051

And via email: rc91@comcast.net

Re: **11 St Laurent Dr Map 129 Lot 094-000**  
**District: Town Residence Two (R-2)**

Dear Roger,

**Denied:**

Your final inspection/verification application for C.O # 2019-00379: to finish basement for studio style ADU of 595 sqft. has failed/been denied.

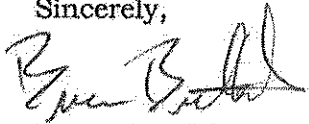
**Zoning Review / Determination:**

Your building permit application plan submitted May 14, 2019 indicates a "studio style ALU 595 sqft". Upon a site inspection today there is no 50 sqft hall as (indicated on the plans submitted), as the hall extends the full length of the basement. There is a door that connects to a bedroom from the 50 sqft bathroom, all these new "rooms" within the newly created ADU is in violation of the maximum allowed sqft of 750 sqft per section §334-73.3 H: *The size of an ADU shall not be less than 350 square feet nor greater than 750 square feet. The size of the principal dwelling shall not be reduced to less than 850 square feet in order to accommodate the creation of an ADU. Measurement of size shall be consistent with Town Assessor's practices.*

You would need to apply for a variance from the Zoning Board of Adjustment, to continue as built, for an ADU as constructed.

*NOTE: this determination may be appealed to the Hudson Zoning Board of Adjustment within 30 days of the receipt of this letter.*

Sincerely,



Bruce Buttrick, MCP  
Zoning Administrator/Code Enforcement Officer  
(603) 816-1275  
[bbuttrick@hudsonnh.gov](mailto:bbuttrick@hudsonnh.gov)

cc: Public Folder  
D. Hebert, Building Official  
B. Groth, Town Planner  
File

*NOTE: this determination may be appealed to the Hudson Zoning Board of Adjustment within 30 days of the receipt of this letter.*



Town of Hudson, NH  
**CERTIFICATE OF OCCUPANCY**



Hudson Fire - Inspectional Services Division  
12 School Street  
Hudson, NH 03051  
603-886-6005

**Owner, Lessee or Occupant:** CHOPELAS, ROGER A.

**Location of Work:** 11 ST LAURENT DR (Unit or Building)  
(No. and Street)

**Desc of Work:** Create Accessory Dwelling Unit. Add kitchen, move laundry, add one exterior door to in basement.

**Map\Lot:** 129-094-000 **IRC Bldg Code Edition:** 2009

**District:** R-2

**Permit(s):** 2019-00379, 2019-00379-1-PL, 2019-00379-2-MG

**Use Group:**

**Fire Sprinkler System Required:** NO

**Fire Alarm System Required:** NO

This is to certify that CHOPELAS, ROGER A. has\have obtained all final inspections and has been found to substantially conform to all regulations and codes and is hereby approved for occupancy and use, as limited or otherwise noted below.

This Certificate of Occupancy must conform to the Hudson Zoning Ordinance Article XIII.A.

**Date of Issue:** 11/24/2020

**Signed:**



# TOWN OF HUDSON

## Land Use Division



12 School Street • Hudson, New Hampshire 03051 • Tel: 603-886-6008 • Fax: 603-594-1142

### Zoning Determination #19-064

May 30, 2019

Roger Chopelas  
11 St Laurent Dr  
Hudson, NH 03051

Re: **11 St Laurent Rd Map 129 Lot 094-000**  
**District: Residential Two (R-2)**

Dear Mr. Chopelas,

**Your request:** Can you convert your existing single family to a two family dwelling?

**Zoning Review / Determination:**

This is an existing non-conforming lot of record with 0.699 Acres (where 1 Acre required) and 150 ft of frontage (where 120 ft is required). Two family dwellings are a permitted use per Table of Permitted Principal §334-21.

Any new addition would need to be in compliance with Table 334-27 Table of Minimum Dimensional Requirements, such as front setback of 30 ft, side and rear setbacks of 15 ft. Any deviation from the Zoning Ordinance requirements would require a variance from the Zoning Board of Adjustment.

Sincerely,

Bruce Buttrick, MCP  
Zoning Administrator/Code Enforcement Officer  
(603) 816-1275  
[bbuttrick@hudsonnh.gov](mailto:bbuttrick@hudsonnh.gov)

cc: Public Folder  
Brian Groth – Town Planner  
File

*NOTE: this determination may be appealed to the Hudson Zoning Board of Adjustment within 30 days of the receipt of this letter.*

MAP LOT SUB

CARD

Hudson

APPRAISED: 293,200 / 293,2
USE VALUE: 293,200 / 293,2
ASSESSED: 293,200 / 293,2

PROPERTY LOCATION

Table with columns: No, Alt No, Direction/Street/City. Row 1: 11, ST LAURENT DR, HUDSON

Table with columns: Owner Name, Address, City, State, Zip, Postal. Includes owner: CHOPELAS, ROGER A., address: 11 ST LAURENT DR., city: HUDSON, state: NH, zip: 03051

Table with columns: Owner Name, Address, City, State, Zip, Postal. Includes owner: FEDERAL NAT. MORT ASSOC - C/O SETERUS, INC., address: 14523 SW MILLIKAN WAY STE 200, city: BEAVERTON, state: OR, zip: 97005-2348

PROPERTY DESCRIPTION: parcel contains .699 ACRES of land mainly classified as J with a SPLIT LEVEL Building built about 1984, having variously WOOD Exterior and 1970 Square Feet, with 2 Units, 2 cars, 0 3/4 Bath, 0 HalfBath, 6 Rooms, and 3 Bdrms.

Table with columns: Date, Description/No, Amount, Com. Int. (Empty table)

Table with columns: Code, Description, %, Item, Code, Description. Includes items: RESD TWO, water, Sewer, Electric, Exmpt, Topo, Street, Gas.

LAND SECTION (First 7 lines only)

Table with columns: Parcel No, Description, LUC, No of Units, Depth / Price Units, Unit Type, Land Type, LT Factor, Base Value, Unit Price, Adj, Neigh, Neigh Infl, Neigh Mod, Inf 1, %, Inf 2, %, Inf 3, %, Appraised Value, Alt Class, %, Spec Land, J Code, Fact, Use Value, Notes. Row 1: 11 ADU, 0.699, SITE ACRE SITE, 0, 120,000, 1.30 RF, 109,164, 109,200

IN PROCESS APPRAISAL SUMMARY

Table with columns: Use Code, Land Size, Building Value, Yard Items, Land Value, Total Value. Row 1: 1071, 0.699, 179,300, 4,700, 109,200, 293,200

PREVIOUS ASSESSMENT

Table with columns: Tax Yr, Use, Cat, Bldg Value, Yrd Items, Land Size, Land Value, Total Value, Asses'd Value, Notes, Date. Includes years 2017-2020 and various categories like FV, JB, PV.

SALES INFORMATION

Table with columns: Grantor, Legal Ref, Type, Date, Sale Code, Sale Price, V, Tst, Verif, Notes. Includes sales to FEDERAL NAT. MO, LATTI, DAVID M., GILLESPIE, DANI, GUILLEMETTE, KE, 101 REALTY, INC.

BUILDING PERMITS

Table with columns: Date, Number, Description, Amount, C/O, Last Visit, Fed Code, F. Description, Comment. Includes permits for ACC DW U, MECHANIC, ELECTRIC, PLUMBING, INT RENO, MECHANIC, PROPANE, WOOD STV.

ACTIVITY INFORMATION

Table with columns: Date, Result, By, Name. Includes activities: Inspected, Permit Visit, Sale Data VI, Left Notice, Other Change, Measured, New Maps.

Sign: VERIFICATION OF VISIT NOT DATA



USER DEFINED: Prior Id # 1: 0028, Prior Id # 2: 0020, Prior Id # 3: 0011, Date Time: 03/08/21 12:01:46, LAST REV: 12/17/20 15:38:16, amym, 3766, ASR Map, Fact Dist, Reval Dist, Year, Land Reason, Bld Reason, Civil District, Ratio.

Type: 18 - SPLIT LEVEL  
 Sty Ht: 1 - ONE STY  
 iv) Units: 2 Total: 2  
 undation: 1 - CONCRETE  
 Frame: 1 - WOOD  
 ime Wall: 26 - WOOD  
 Sec Wall: %  
 of Struct: 1 - GABLE  
 of Cover: 1 - ASPH SHING  
 Color: TAN  
 w / Desir:

Full Bath 2 Rating: AVERAGE  
 A Bath: Rating:  
 3/4 Bath: Rating:  
 A 3QBth: Rating:  
 1/2 Bath: Rating:  
 A HBth: Rating:  
 OthrFix: Rating:

BMT GARS CONVERTED TO FLA. //irrigation.  
 //generator piping only for 2020- single family to 2  
 family///no kit, dwalld as of 3/3 needs kit, fl, trim,  
 fixt, pl//. 11-2020 co insp-noted that permit is for  
 adu, adj LUC to 1071//part of bmt, including boiler.

**OTHER FEATURES**  
 Kits: 1 Rating: AVERAGE  
 A Kits: 1 Rating: GOOD  
 Frpl: Rating:  
 WSFlue: 1 Rating: AVERAGE

**CONDO INFORMATION**  
 Location:  
 Total Units:

Floor:  
 % Own:  
 Name:

**DEPRECIATION**  
 Phys Cond: AG - Avg-Good 30.1%  
 Functional: %  
 Economic: %  
 Special: NC - New Constr %  
 Override: %  
 Total: 30.4%

**CALC SUMMARY**  
 Basic \$ / SQ: 107.00  
 Size Adj.: 1.11182868  
 Const Adj.: 0.98490000  
 Adj \$ / SQ: 117.169  
 Other Features: 21493  
 Grade Factor: 1.00  
 NBHD Inf: 1.00000000  
 NBHD Mod:  
 LUC Factor: 1.00  
 Adj Total: 257599  
 Depreciation: 78310  
 Depreciated Total: 179289

**RESIDENTIAL GRID**  
 1st Res Grid Desc: CONV # Units 1  
 Level FY LR DR D K FR RR BR FB HB L O  
 Other:  
 Upper:  
 Lvl 2:  
 Lvl 1:  
 Lower:  
 Totals RMS: 6 BRS: 3 Baths: 2 HB

**REMODELING**  
 Exterior:  
 Interior:  
 Additions:  
 Kitchen: 2020  
 Baths:  
 Plumbing: 2020  
 Electric: 2020  
 Heating:  
 General: 2020

**RES BREAKDOWN**

No Unit	RMS	BRS	FL
1	6	3	M
Totals			
1	6	3	

**GENERAL INFORMATION**  
 Grade: C - AVERAGE  
 Year Blt: 1984 Eff Yr Blt:  
 It LUC: Alt %:  
 Jurisdict: Fact  
 Const Mod:  
 Lump Sum Adj:

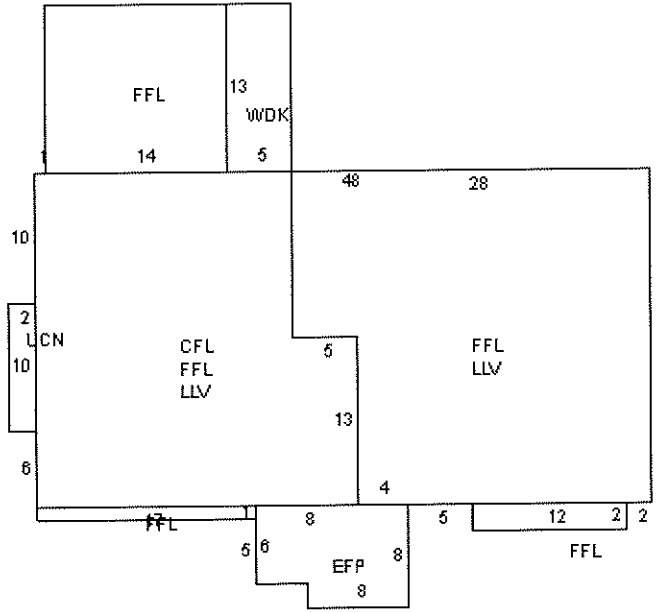
**ERIOR INFORMATION**  
 Avg Ht/FL: STD  
 m Int Wal 1 - DRYWALL  
 Int Wall: %  
 Partition: T - TYPICAL  
 m Floors: 04 - CARPET  
 ac Floors: 16 - VIN-PLK 25.1%  
 Ismnt Flr: 12 - CONCRETE

Subfloor:  
 smnt Gar:  
 Electric: 3 - TYPICAL  
 nsulation: 2 - TYPICAL  
 nt vs Ext: S  
 heat Fuel: 4 - PROPANE  
 eat Type: 1 - FORCED AIR  
 heat Sys: 1  
 e Heated: 100 % AC: 100  
 solar HW: NO Central Vac: NO  
 Com Wal % Sprinkled

**BILE HOME**  
 Make: Model: Serial # Year: Color:

**EC FEATURES/YARD ITEMS**

Id	Description	A	Y/S	Qty	Size/Dim	Qual	Con	Year	Unit Price	D/S	Dep	LUC	Fact	NB Fa	Appr Value	JCod	JFact	Juris. Value
	DECK-WOOD	D	Y	1	575	AV	AV	1984	12.66	T	49.5	1071			3,700			3,700
	POOL-AG/OV	D	Y	1	15X26	AV	AV	2010	0.00	T	10.5	1071						
	PATIO	D	Y	1	100	AV	AV	2010	10.95	T	10.5	1071			1,000			1,000

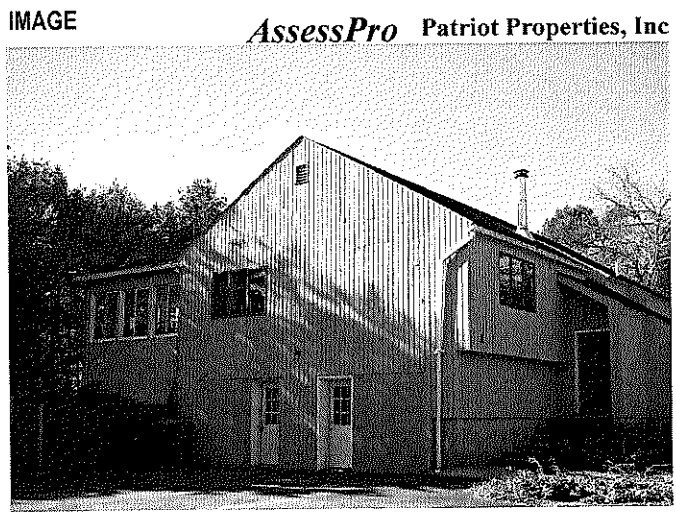


**SUB AREA**

Code	Description	Area - SQ	Rate - AV	Undepr Value
FFL	FIRST FLOOR	1,471	117.170	172,356
LLV	LOWER LEVEL	1,248	37.050	46,244
CFL	CATHEDR AREA	585	11.720	6,854
EFP	ENC PORCH	88	93.210	8,203
WDK	WOOD DECK	65	27.380	1,780
UCN	UNF CANOPY	20	33.480	670
Net Sketched Area:		3,477	Total:	236,107
Size Ad	1471: Gross Area	3477: FinArea		1970

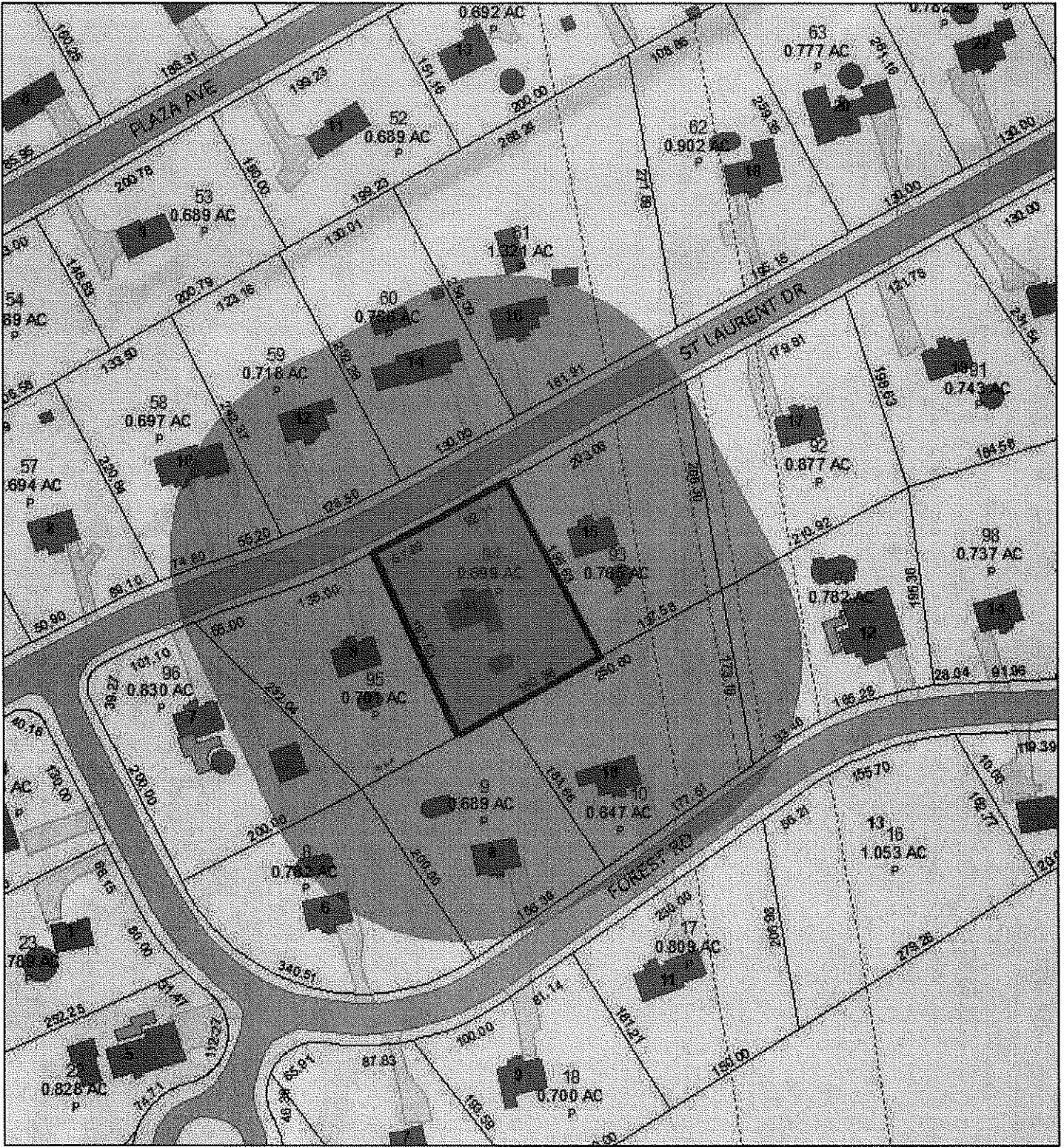
**SUB AREA DETAIL**

Sub	%	Descrp	%	Qu	#1
LLV	100	APT	40	AV	
LLV	100	FLA	55	AV	





# 11 St Laurent Dr. (Map/Lot 129-094-000)



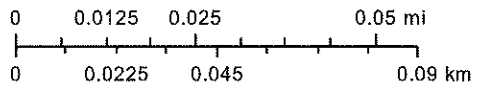
March 2, 2021

Legend

----- Easement\_Lines

▭ Parcels

1:1,673

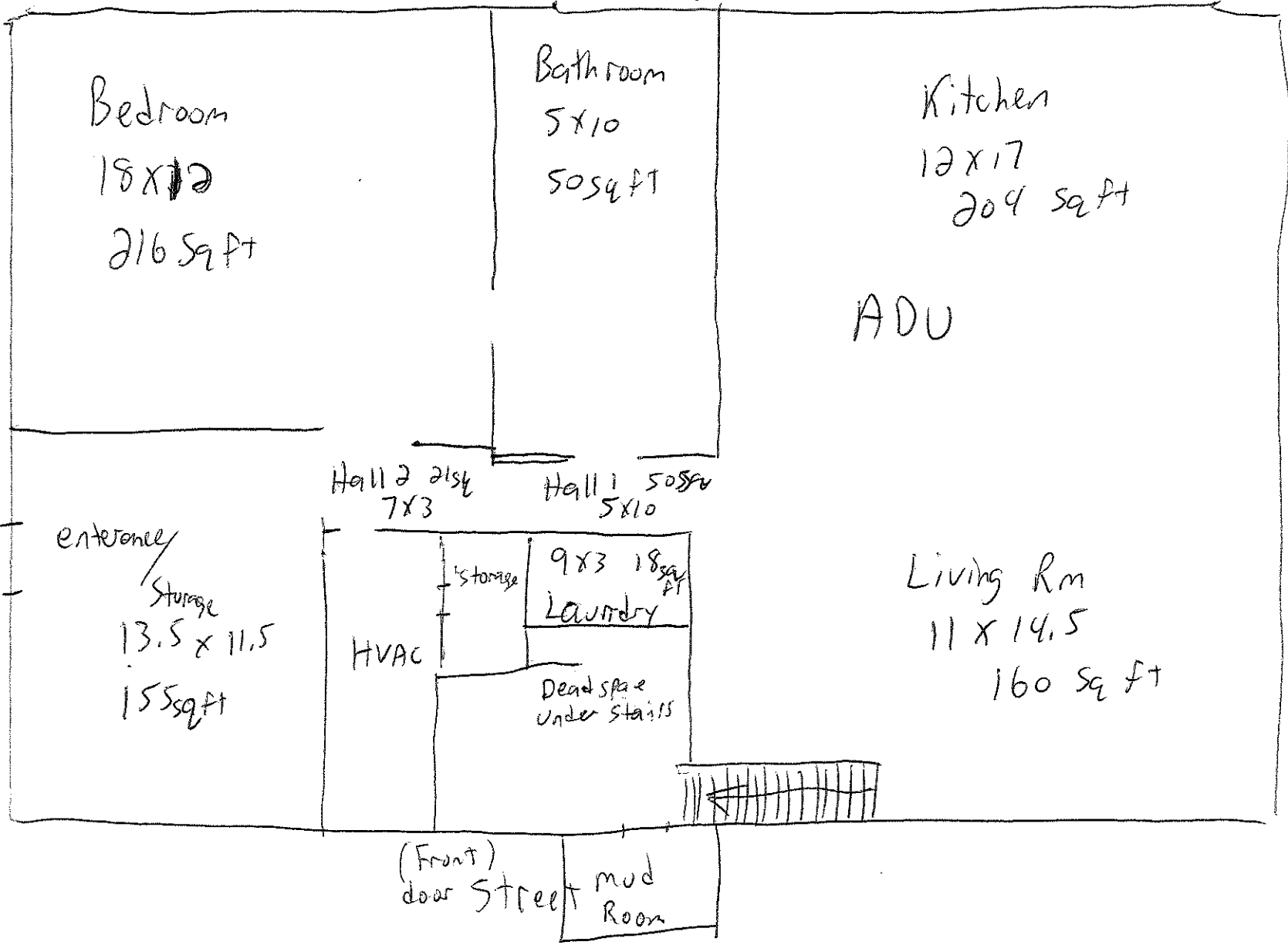


Bed - 216  
 Entry - 155  
 Bath - 50  
 Hall 1 - 21

Hall 2 - 50  
 Laundry - 18  
 Kitchen - 204  
 Living - 160

(Back) 874  
 = total sq ft  
 ADU

Proposed Floor plan



## APPRAISAL OF REAL PROPERTY



### LOCATED AT

11 St. Laurent Dr  
Hudson, NH 03051  
Hillsborough County Registry Of Deeds Book - 8960 Page - 2712

### FOR

Evolve Bank and Trust - NH Bedford  
292 Rt 101  
Bedford, NH 03110

### OPINION OF VALUE

280,000

### AS OF

06/05/2017

### BY

Alan Scott  
A E Appraisals  
1 HICKORY LANE  
HOLLIS, NH 03049  
(603) 465-2341  
ascott@tds.net

# Uniform Residential Appraisal Report

341-1634274  
File # 341-1634274

The purpose of this summary appraisal report is to provide the lender/client with an accurate, and adequately supported, opinion of the market value of the subject property.

**Property Address** 11 St. Laurent Dr City Hudson State NH Zip Code 03051  
**Borrower** Roger A. Chopelas Owner of Public Record Federal Nat. Mort Assoc C/O Seteru County Hillsborough  
**Legal Description** Hillsborough County Registry Of Deeds Book - 8960 Page - 2712  
**Assessor's Parcel #** 129-094-000 Tax Year 2016 R.E. Taxes \$ 5,162  
**Neighborhood Name** Saint Laurent Map Reference 31700 Census Tract 0121.00  
 Occupant  Owner  Tenant  Vacant Special Assessments \$ 0  PUD HOA \$ 0  per year  per month  
 Property Rights Appraised  Fee Simple  Leasehold  Other (describe)  
 Assignment Type  Purchase Transaction  Refinance Transaction  Other (describe)  
**Lender/Client** Evolve Bank and Trust - NH Bedford Address 292 Rt 101, Bedford, NH 03110  
 Is the subject property currently offered for sale or has it been offered for sale in the twelve months prior to the effective date of this appraisal?  Yes  No  
 Report data source(s) used, offering price(s), and date(s). DOM 28;Original price \$259,900 02/17/2016 NHMLS# 4471784 No reduced offering Price  
 Subject is currently on the market. See Attached MLS sheet.  
 I  did  did not analyze the contract for sale for the subject purchase transaction. Explain the results of the analysis of the contract for sale or why the analysis was not performed. REO sale;Appraiser recived and reviewed fully executed 5 page purchase and sale agreement thru Realtor and was signed by both parties. Seller signed on the date below which is the definition of the contract date.  
 Contract Price \$ 256,000 Date of Contract 05/25/2017 Is the property seller the owner of public record?  Yes  No Data Source(s) Legal Attached  
 Is there any financial assistance (loan charges, sale concessions, gift or downpayment assistance, etc.) to be paid by any party on behalf of the borrower?  Yes  No  
 If Yes, report the total dollar amount and describe the items to be paid. \$0;

**Note: Race and the racial composition of the neighborhood are not appraisal factors.**

Neighborhood Characteristics		One-Unit Housing Trends		One-Unit Housing		Present Land Use %	
Location <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban <input type="checkbox"/> Rural	Property Values <input type="checkbox"/> Increasing <input checked="" type="checkbox"/> Stable <input type="checkbox"/> Declining	PRICE	AGE	One-Unit	75 %		
Built-Up <input type="checkbox"/> Over 75% <input checked="" type="checkbox"/> 25-75% <input type="checkbox"/> Under 25%	Demand/Supply <input type="checkbox"/> Shortage <input checked="" type="checkbox"/> In Balance <input type="checkbox"/> Over Supply	\$ (000)	(yrs)	2-4 Unit	%		
Growth <input type="checkbox"/> Rapid <input checked="" type="checkbox"/> Stable <input type="checkbox"/> Slow	Marketing Time <input checked="" type="checkbox"/> Under 3 mths <input type="checkbox"/> 3-6 mths <input type="checkbox"/> Over 6 mths	180	Low 5	Multi-Family	%		
Neighborhood Boundaries Subject is bounded North by Page Road, East by Robinson Rd, South by Pelham Road and West by Merrimack River.		350	High 150	Commercial	%		
		260	Pred. 35	Other	25 %		

Neighborhood Description Subject neighborhood is made up of mostly single-family homes with no negative factors noted at the time of inspection.  
 The remaining 25% land-use is presently vacant land. Subject is close to fire, police, goods and services. Appraiser found no adverse conditions or negative external obsolescence. No affect too subjects marketability.  
 Market Conditions (including support for the above conclusions) Market conditions are stable. The definition of stable market is a slightly higher supply than demand. Determined using listings & sales attached. Conventional financing is available at reasonable rates. There are FHA/VA financing and seller concessions in the market at this time. Difference in Predominant price/Value or age has no adverse affect on subject marketability.  
 Dimensions 150' Frontage Area 30492 sf Shape See Plat map attached View N,Res;  
 Specific Zoning Classification R2- Residential Zoning Description 1 Acre minimum and 120' frontage  
 Zoning Compliance  Legal  Legal Nonconforming (Grandfathered Use)  No Zoning  Illegal (describe)  
 Is the highest and best use of subject property as improved (or as proposed per plans and specifications) the present use?  Yes  No If No, describe

Utilities	Public	Other (describe)	Public	Other (describe)	Off-site Improvements - Type	Public	Private
Electricity	<input checked="" type="checkbox"/>		Water	<input checked="" type="checkbox"/>	Street Paved	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gas	<input type="checkbox"/>	<input checked="" type="checkbox"/> Propane / Typical	Sanitary Sewer	<input checked="" type="checkbox"/>	Alley None	<input type="checkbox"/>	<input type="checkbox"/>

FEMA Special Flood Hazard Area  Yes  No FEMA Flood Zone X FEMA Map # 33011C0512D FEMA Map Date 09/25/2009  
 Are the utilities and off-site improvements typical for the market area?  Yes  No If No, describe  
 Are there any adverse site conditions or external factors (easements, encroachments, environmental conditions, land uses, etc.)?  Yes  No If Yes, describe  
 Town water and sewer are typical for this area not adverse to subject marketability. All utilities were on working at the time of inspection. The appraiser found no adverse external factors easements encroachments on any environmental conditions it would affect the marketability of the subject property. Subject cannot be subdivided

General Description		Foundation		Exterior Description		Interior	
Units <input checked="" type="checkbox"/> One <input type="checkbox"/> One with Accessory Unit	<input type="checkbox"/> Concrete Slab <input type="checkbox"/> Crawl Space	Foundation Walls	Concrete /average	Floors	Vynl/Crpt/Avg		
# of Stories 1	<input checked="" type="checkbox"/> Full Basement <input type="checkbox"/> Partial Basement	Exterior Walls	Vert. Wood/ Gd	Walls	Drywall/Average		
Type <input checked="" type="checkbox"/> Det. <input type="checkbox"/> Att. <input type="checkbox"/> S-Det./End Unit	Basement Area 1,248 sq.ft.	Roof Surface	Asphalt/Good	Trim/Finish	Wood/Average		
<input checked="" type="checkbox"/> Existing <input type="checkbox"/> Proposed <input type="checkbox"/> Under Const.	Basement Finish 75 %	Gutters & Downspouts	Yes/Average	Bath Floor	Vinyl/Average		
Design (Style) Contemp	<input checked="" type="checkbox"/> Outside Entry/Exit <input type="checkbox"/> Sump Pump	Window Type	Storm /Average	Bath Wainscot	Fiberglass/Average		
Year Built 1984	Evidence of <input type="checkbox"/> Infestation	Storm Sash/Insulated	Yes/Average	Car Storage	<input type="checkbox"/> None		
Effective Age (Yrs) 12	<input type="checkbox"/> Dampness <input type="checkbox"/> Settlement	Screens	Yes/Average	<input checked="" type="checkbox"/> Driveway # of Cars 4			
Attic <input type="checkbox"/> None	Heating <input type="checkbox"/> FWA <input type="checkbox"/> HWBB <input checked="" type="checkbox"/> Radiant	Amenities	<input type="checkbox"/> Woodstove(s) # 0	Driveway Surface	Paved		
<input type="checkbox"/> Drop Stair <input type="checkbox"/> Stairs	<input type="checkbox"/> Other <input type="checkbox"/> Fuel Elect	Fireplace(s) # 0	<input checked="" type="checkbox"/> Fence Average	Garage	# of Cars 0		
<input type="checkbox"/> Floor <input checked="" type="checkbox"/> Scuttle	Cooling <input type="checkbox"/> Central Air Conditioning	<input checked="" type="checkbox"/> Patio/Deck 0/1	<input checked="" type="checkbox"/> Porch Covered	Carport	# of Cars 0		
<input type="checkbox"/> Finished <input type="checkbox"/> Heated	<input type="checkbox"/> Individual <input checked="" type="checkbox"/> Other None	<input checked="" type="checkbox"/> Pool above gnd	<input type="checkbox"/> Other None	Att.	<input type="checkbox"/> Det. <input type="checkbox"/> Built-in		

Appliances  Refrigerator  Range/Oven  Dishwasher  Disposal  Microwave  Washer/Dryer  Other (describe)  
 Finished area above grade contains: 6 Rooms 3 Bedrooms 1.0 Bath(s) 1,285 Square Feet of Gross Living Area Above Grade  
 Additional features (special energy efficient items, etc.). Additional features include a porch, deck, walkout basement and has energy efficient windows and doors. No credit for above ground pool personal item.  
 Describe the condition of the property (including needed repairs, deterioration, renovations, remodeling, etc.). C3;Kitchen-updated-timeframe unknown;Bathrooms-updated-timeframe unknown;The subject was in C3 condition with no major repairs needed. Physical depreciation noted in the cost approach. No functional or external depreciation noted at the time of inspection. Appraiser inspected kitchen, bath, mechanical plumbing and electrical systems of the subject property and found them all on and in working condition. The subject has had no storm damage or needs any repairs from any disasters. It is an extra ordinary assumption finished basement which included removed garage is legal no permits were found. Are there any physical deficiencies or adverse conditions that affect the livability, soundness, or structural integrity of the property?  Yes  No If Yes, describe

Does the property generally conform to the neighborhood (functional utility, style, condition, use, construction, etc.)?  Yes  No If No, describe



# Uniform Residential Appraisal Report

341-1634274  
File # 341-1634274

There are 2 comparable properties currently offered for sale in the subject neighborhood ranging in price from \$ 269,900 to \$ 274,900		There are 4 comparable sales in the subject neighborhood within the past twelve months ranging in sale price from \$ 255,000 to \$ 300,000	
FEATURE	SUBJECT	COMPARABLE SALE # 1	COMPARABLE SALE # 2
Address	11 St. Laurent Dr Hudson, NH 03051	9 Forest Rd Hudson, NH 03051	18 Federal St Hudson, NH 03051
Proximity to Subject		0.09 miles S	1.34 miles S
Sale Price	\$ 256,000	\$ 255,000	\$ 260,000
Sale Price/Gross Liv. Area	\$ 199.22 sq.ft.	\$ 216.47 sq.ft.	\$ 177.96 sq.ft.
Data Source(s)		NHMLS # 4613093;DOM 6	NHMLS # 4506221;DOM 3
Verification Source(s)		Deed/Tax rec/exterior insp	Deed/Tax rec/exterior insp
VALUE ADJUSTMENTS	DESCRIPTION	DESCRIPTION	+(-) \$ Adjustment
Sales or Financing		ArmLth	
Concessions		Conv;0	
Date of Sale/Time		s03/17;Unk	
Location	N;Res;	N;Res;	
Leasehold/Fee Simple	Fee Simple	Fee Simple	
Site	30492 sf	30492 sf	0
View	N;Res;	N;Res;	
Design (Style)	DT1;Contemp	DT1;Contemp	0
Quality of Construction	Q4	Q4	0
Actual Age	33	33	0
Condition	C3	C3	0
Above Grade	Total Bdrms Baths	Total Bdrms Baths	Total Bdrms Baths
Room Count	6 3 1.0	6 3 1.0	6 3 1.0
Gross Living Area	1,285 sq.ft.	1,178 sq.ft.	+1,605
Basement & Finished Rooms Below Grade	1248sf936sfwo 1rr0br1.0ba1o	728sf686sfwo 1rr0br1.0ba0o	0 +1,000
Functional Utility	Average	Average	0
Heating/Cooling	BB/Elect	BB/Elect	-2,000
Energy Efficient Items	Wnds & Doors	Wnds & Doors	
Garage/Carport	4dw	1gb14dw	-1,500
Porch/Patio/Deck	Porch/Deck	Porch	+2,000
Additional amenity	None	None	
Net Adjustment (Total)		⊗ + ⊠ - \$ 3,105	⊗ + ⊠ - \$ 360
Adjusted Sale Price of Comparables		Net Adj. 1.2 % Gross Adj. 2.4 % \$ 258,105	Net Adj. 0.1 % Gross Adj. 3.7 % \$ 260,360
<input checked="" type="checkbox"/> did <input type="checkbox"/> did not research the sale or transfer history of the subject property and comparable sales. If not, explain			
My research <input checked="" type="checkbox"/> did <input type="checkbox"/> did not reveal any prior sales or transfers of the subject property for the three years prior to the effective date of this appraisal.			
Data Source(s) NHMLS/DEED/TOWN- Foreclosure			
My research <input type="checkbox"/> did <input checked="" type="checkbox"/> did not reveal any prior sales or transfers of the comparable sales for the year prior to the date of sale of the comparable sale.			
Data Source(s) NHMLS/DEED/TOWN			
Report the results of the research and analysis of the prior sale or transfer history of the subject property and comparable sales (report additional prior sales on page 3).			
ITEM	SUBJECT	COMPARABLE SALE #1	COMPARABLE SALE #2
Date of Prior Sale/Transfer	02/13/2017		
Price of Prior Sale/Transfer	\$227,400		
Data Source(s)	Deed/Towns records	Deed/Towns records	Deed/Towns records
Effective Date of Data Source(s)	06/05/2017	06/05/2017	06/05/2017
Analysis of prior sale or transfer history of the subject property and comparable sales The subject has been sold within the last three years as a foreclosure and the comparables have not been sold within the last year. Research used was MLS, Town records and subjects deed. Deed was verified using the phone and online services. The sales/ comps where also researched going back 36 months using town records, deeds and exterior inspection. No other credible listings or sales were found. Subject is currently assessed by the town for \$235,000. The variance in town assessment vs opinion of value is due to lack of recent inspection by the town and recent sales supporting value with the same upgrades or renovations or lack of. This has no adverse affect to subjects marketability.			
Summary of Sales Comparison Approach See attached addendum.			
The variance in sale price and opinion of value is the supporting sales in the report and subject is an REO and has a slight stigma that is directly impacted by personal taste which cannot be adjusted.			
Subject is missing some tile over stove in kitchen cost to cure \$200 no adjustment mad because it does not declty impacted the opinion of value.			
Indicated Value by Sales Comparison Approach \$ 260,000			
Indicated Value by: Sales Comparison Approach \$ 260,000 Cost Approach (if developed) \$ 262,710 Income Approach (if developed) \$			
The cost approach was not used because it's misleading due to the fact that it's derived by the cost of replacing the materials and not what the typical market buyer will pay. Income approach was discarded due to lack of verification of rental contracts. Sales approach was found to be most accurate. Most weight given to Comp# 2 having least amount of total net% adjustment. Comp#1 & Comp# 3 used for bracketing the adjusted value.			
This appraisal is made <input checked="" type="checkbox"/> "as is", <input type="checkbox"/> subject to completion per plans and specifications on the basis of a hypothetical condition that the improvements have been completed, <input type="checkbox"/> subject to the following repairs or alterations on the basis of a hypothetical condition that the repairs or alterations have been completed, or <input type="checkbox"/> subject to the following required inspection based on the extraordinary assumption that the condition or deficiency does not require alteration or repair:			
Based on a complete visual inspection of the interior and exterior areas of the subject property, defined scope of work, statement of assumptions and limiting conditions, and appraiser's certification, my (our) opinion of the market value, as defined, of the real property that is the subject of this report is \$ 260,000, as of 06/05/2017, which is the date of inspection and the effective date of this appraisal.			

# Uniform Residential Appraisal Report

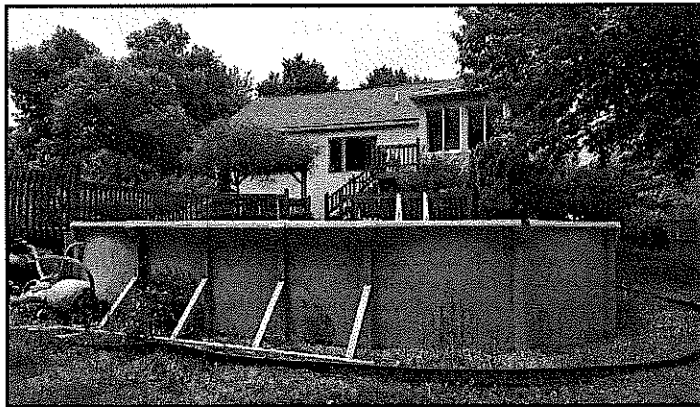
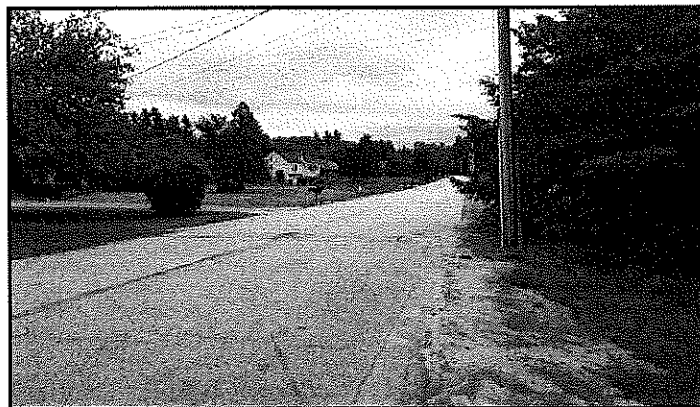
ADDITIONAL COMMENTS	<p>*** The appraiser does hereby certify that this report was completed in compliance within all DODD-FRANK ACT guidelines and the appraisal independence requirements of the TRUTH IN LENDING ACT. That no employee, director, officer or agent of the lender, or any other third party acting as a joint venture partner, independent contractor, appraisal management company, or partner on the behalf of the lender has influenced or attempted to influence the development, reporting, result or review of the assignment through coercion, extortion, collusion, compensation, instruction, inducement, intimidation, bribery or any other manner. I have not been contacted by anyone other than the intended user Lender/client as identified on the 1st page of this report, borrower, or designated contact to make an appointment to enter the property.</p>																	
	<p>The subject and comparables all have the same functional utility.</p>																	
	<p>The subject has a town water and town sewer as do all the comparables used in this report which is typical for the area and not considered adverse to the subjects marketability. The subject and all the comparables all have the same zoning and same utility.</p>																	
	<p>The appraiser has attached a list to this report of similar sales given consideration and a list of current listings given consideration. These sales &amp; listings are not all considered comparables but were given consideration because they are similar in size, age or location and were in line with guidelines and requirements set forth by the client/intended user. The subjects market is consider stable using the Law of Economics supply &amp; demand.</p>																	
	<p>The appraiser has obtained all information from town hall records and deeds. The subject's town record is attached for verification of legal description and physical address. The NHMLS- (New England Real Estate Network) was used as a reference. The NHMLS not considered reliable because the information is developed by realtors as a marketing tool only. The appraiser does not consider Value Comps reliable because they are not required to verify information used. They too are a 3rd party that is not considered public record. The appraiser researched all the sales and listings used in this report using the same means of information. By looking at their deeds and obtaining the town tax card which is how they are legally being taxed. The appraiser also reached out to realtors and other appraisers for information and verification. Information from prior appraisals cannot be used in this report due to this is entirely different report and conditions and adjustments made are made for this report and not another.</p>																	
	<p>No personal items were used in the report for final opinion of value because they are not considered a permanent fixture or an amenity. Appliances are considered personal items and were not given any weight in the opinion of value.</p>																	
	<p>Location: Subject is in a suburban location.</p>																	
	<p>Suburban Location is determined by S.M.S.A-(Standard Metropolitan Statistical Area).</p>																	
	<p>Suburban location by S.M.S.A standards depicts rural area by population and not location.</p>																	
	<p>The property has no record of ever been anything other than a residential property.</p>																	
	<p>There is no adverse affect to subjects marketability due to location or zoning.</p>																	
	<p><b>Zoning Compliance :</b></p>																	
	<p>Subject is Legal non conforming due to zoning change. Due to lot size. No adverse affect to subject marketability due to subject being grandfathered and may be rebuilt 100% on same foot print with proper permits from town building dept within 2 years.</p>																	
	COST APPROACH	<p><b>COST APPROACH TO VALUE (not required by Fannie Mae)</b></p>																
		<p>Provide adequate information for the lender/client to replicate the below cost figures and calculations.</p>																
<p>Support for the opinion of site value (summary of comparable land sales or other methods for estimating site value) Appraiser used town property assessment tax card and extraction method to determine the site value. Lack of comp site sales available &amp; limited time to gather information results in an extraordinary assumption. Cost approach should not be compared to opinion of value or given any weight because it's developed using the replacement cost and is typically used for insurance purposes only.</p>																		
<p>ESTIMATED <input type="checkbox"/> REPRODUCTION OR <input checked="" type="checkbox"/> REPLACEMENT COST NEW</p>		<p>OPINION OF SITE VALUE ..... = \$ 104,800</p>																
<p>Source of cost data B. Supply / builders</p>		<p>DWELLING 1,285 Sq.Ft. @ \$ 102.00 = \$ 131,070</p>																
<p>Quality rating from cost service 60 Effective date of cost data 02/04/2017</p>		<p>1,248 Sq.Ft. @ \$ 42.00 = \$ 52,416</p>																
<p>Comments on Cost Approach (gross living area calculations, depreciation, etc.)</p>		<p>amenities ..... = \$ 25,000</p>																
<p>See attached building sketch for a particular dimensions. The site value is typically 25% of the subject properties total assessed value. Exceeding this percentage does not affect the subject marketability or reflect anything but the highest best use. Depreciation was determined by the remaining economic life of the subject in all its improvements. Functional adjustment is for amenities not given the same return on the value as their cost to replace.</p>		<p>Garage/Carport Sq.Ft. @ \$ ..... = \$</p> <p>Total Estimate of Cost-New ..... = \$ 208,486</p>																
<p>Estimated Remaining Economic Life (HUD and VA only) 48 Years</p>		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>Less Physical Depreciation</td> <td style="text-align: right;">41,697</td> <td>Functional Depreciation</td> <td style="text-align: right;">16,679</td> <td>External Depreciation</td> <td style="text-align: right;">= \$( 58,376)</td> </tr> <tr> <td colspan="3">Depreciated Cost of Improvements</td> <td colspan="2" style="text-align: right;">= \$ 150,110</td> </tr> <tr> <td colspan="3">"As-Is" Value of Site Improvements</td> <td colspan="2" style="text-align: right;">= \$ 8,000</td> </tr> </table>	Less Physical Depreciation	41,697	Functional Depreciation	16,679	External Depreciation	= \$( 58,376)	Depreciated Cost of Improvements			= \$ 150,110		"As-Is" Value of Site Improvements			= \$ 8,000	
Less Physical Depreciation		41,697	Functional Depreciation	16,679	External Depreciation	= \$( 58,376)												
Depreciated Cost of Improvements			= \$ 150,110															
"As-Is" Value of Site Improvements			= \$ 8,000															
<p>INDICATED VALUE BY COST APPROACH ..... = \$ 262,710</p>																		
INCOME		<p><b>INCOME APPROACH TO VALUE (not required by Fannie Mae)</b></p>																
		<p>Estimated Monthly Market Rent \$ X Gross Rent Multiplier = \$</p>	<p>Indicated Value by Income Approach</p>															
	<p>Summary of Income Approach (including support for market rent and GRM)</p>																	
PUD INFORMATION	<p><b>PROJECT INFORMATION FOR PUDs (if applicable)</b></p>																	
	<p>Is the developer/builder in control of the Homeowners' Association (HOA)? <input type="checkbox"/> Yes <input type="checkbox"/> No Unit type(s) <input type="checkbox"/> Detached <input type="checkbox"/> Attached</p>																	
	<p>Provide the following information for PUDs ONLY if the developer/builder is in control of the HOA and the subject property is an attached dwelling unit.</p>																	
	<p>Legal Name of Project</p>																	
	<p>Total number of phases</p>	<p>Total number of units</p>																
	<p>Total number of units relet</p>	<p>Total number of units for sale</p>																
	<p>Total number of units sold Data source(s)</p>																	
	<p>Was the project created by the conversion of existing building(s) into a PUD? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, date of conversion.</p>																	
	<p>Does the project contain any multi-dwelling units? <input type="checkbox"/> Yes <input type="checkbox"/> No Data Source</p>																	
	<p>Are the units, common elements, and recreation facilities complete? <input type="checkbox"/> Yes <input type="checkbox"/> No If No, describe the status of completion.</p>																	
<p>Are the common elements leased to or by the Homeowners' Association? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, describe the rental terms and options.</p>																		
<p>Describe common elements and recreational facilities.</p>																		

**Subject Photo Page**

Borrower	Roger A. Chopelas				
Property Address	11 St. Laurent Dr				
City	Hudson	County	Hillsborough	State	NH Zip Code 03051
Lender/Client	Evolve Bank and Trust - NH Bedford				

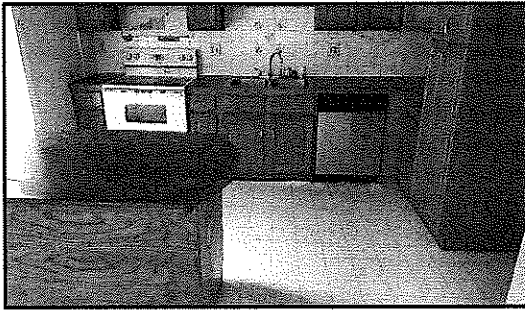
**Subject Front**

11 St. Laurent Dr  
 Sales Price 256,000  
 Gross Living Area 1,285  
 Total Rooms 6  
 Total Bedrooms 3  
 Total Bathrooms 1.0  
 Location N;Res;  
 View N;Res;  
 Site 30492 sf  
 Quality Q4  
 Age 33

**Subject Rear****Subject Street**

### Interior Photos

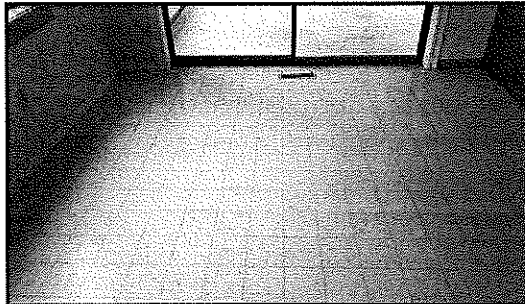
Borrower	Roger A. Chopelas						
Property Address	11 St. Laurent Dr						
City	Hudson	County	Hillsborough	State	NH	Zip Code	03051
Lender/Client	Evolve Bank and Trust - NH Bedford						



**Kitchen**  
back splash missing over stove  
cost to cure \$200



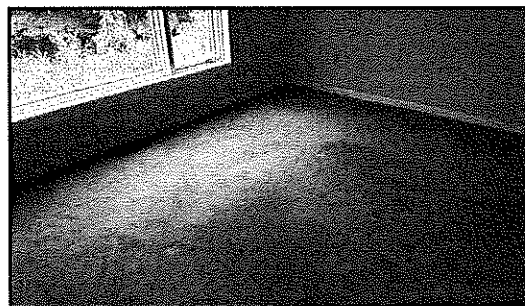
**Living**



**Dining Area**



**Bathroom**



**Bedroom**

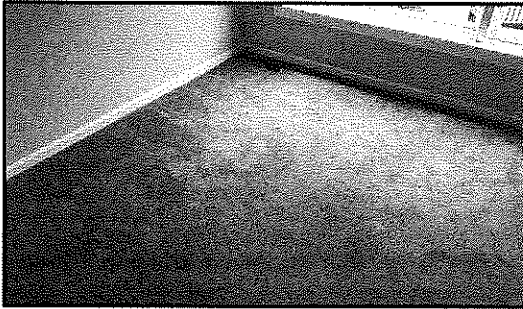


**Bedroom**



### Interior Photos

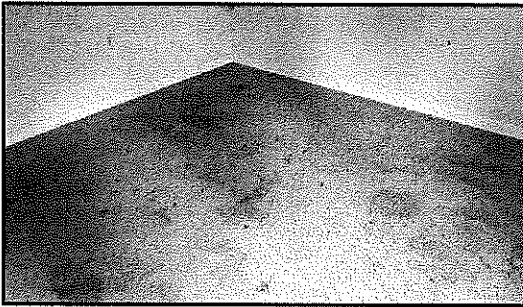
Borrower	Roger A. Chopelas						
Property Address	11 St. Laurent Dr						
City	Hudson	County	Hillsborough	State	NH	Zip Code	03051
Lender/Client	Evolve Bank and Trust - NH Bedford						



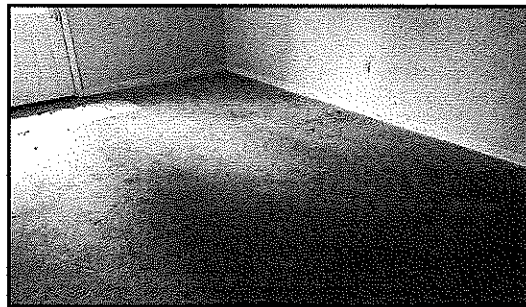
**Bedroom**



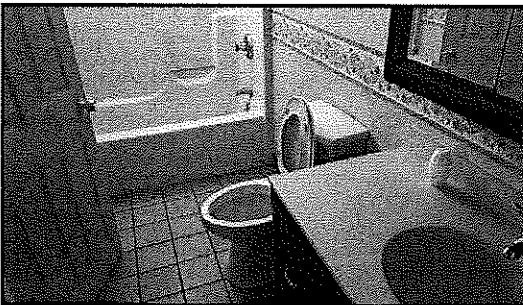
**Sun Room**



**Other room Basment**



**Rec room Basment**



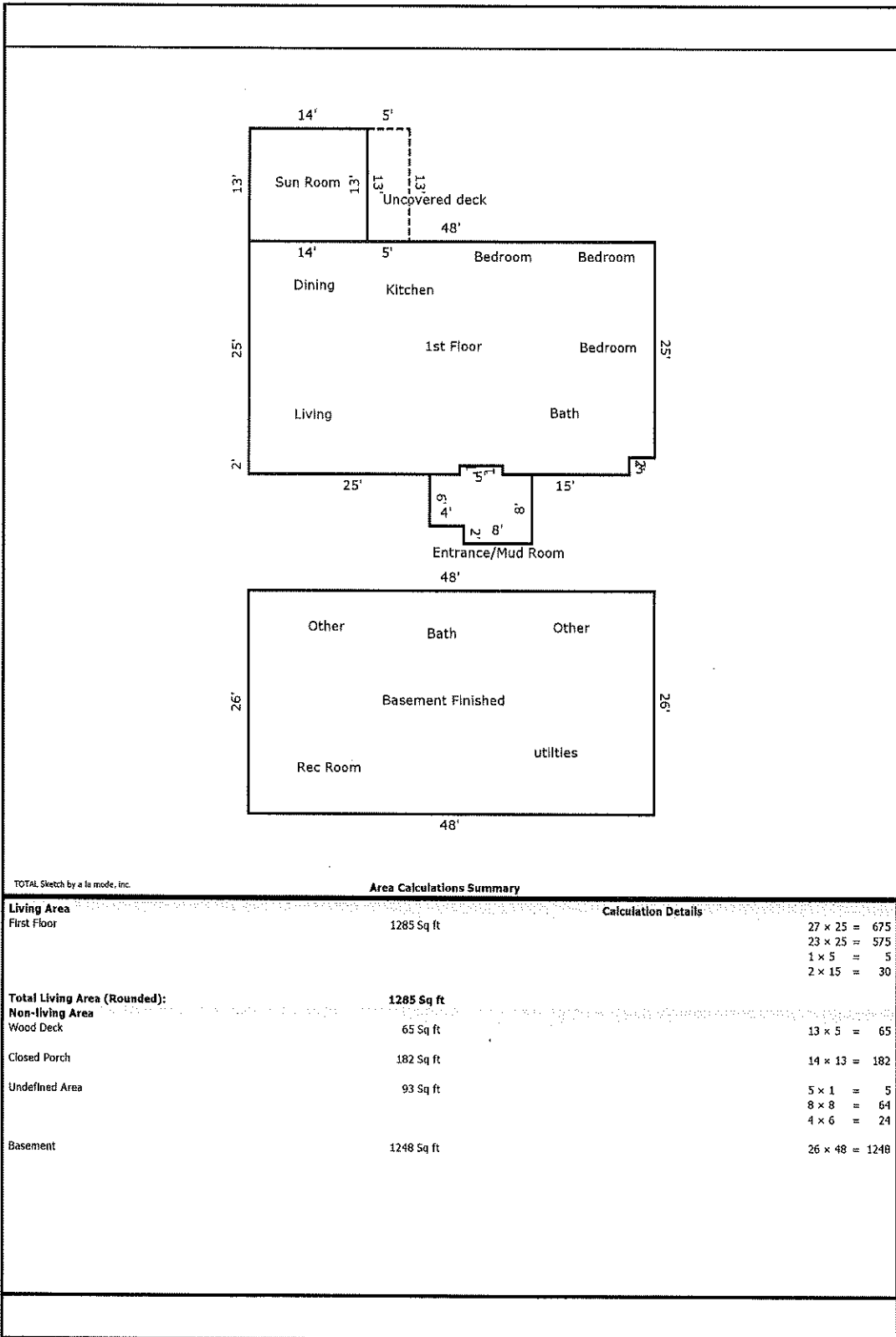
**Bathroom basement**



**Other room Basement  
Plumb for additional kitchen**

### Building Sketch

Borrower	Roger A. Chopelas		
Property Address	11 St. Laurent Dr		
City	Hudson	County Hillsborough	State NH Zip Code 03051
Lender/Client	Evoive Bank and Trust - NH Bedford		



TOTAL Sketch by a la mode, inc.

Area Calculations Summary		
Living Area		Calculation Details
First Floor	1285 Sq ft	27 x 25 = 675 23 x 25 = 575 1 x 5 = 5 2 x 15 = 30
<b>Total Living Area (Rounded):</b>	<b>1285 Sq ft</b>	
<b>Non-living Area</b>		
Wood Deck	65 Sq ft	13 x 5 = 65
Closed Porch	182 Sq ft	14 x 13 = 182
Undefined Area	93 Sq ft	5 x 1 = 5 8 x 8 = 64 4 x 6 = 24
Basement	1248 Sq ft	26 x 48 = 1248

Verification Ownership/Deed

ENV

Unofficial Document

Unofficial Document

T61  
Shechtman

**FORECLOSURE DEED**

**Federal National Mortgage Association**

holder of a mortgage given by David M. Latti to Mortgage Electronic Registration Systems, Inc., as nominee for Countrywide Bank, FSB, dated August 13, 2007 and recorded with the Hillsborough County Registry of Deeds in Book 7888 at Page 1131, by power conferred by said Mortgage and the laws of the State of New Hampshire and in consideration of the sum of Two Hundred Twenty-Seven Thousand Four Hundred And 00/100 Dollars (\$227,400.00), grants to:

**Federal National Mortgage Association**

c/o Seterus, Inc., 14523 SW Millikan Way, Suite 200, Beaverton, OR 97005-2348, that portion of the Premises conveyed by said Mortgage and described more particularly in Exhibit "A" attached hereto.

Executed this 13 day of Feb, 2016.

Property address: 11 Saint Laurent Drive, Hudson, New Hampshire 03051

Federal National Mortgage Association ("Fannie Mae"), a corporation organized and existing under the laws of the United States of America, Beneficiary by Seterus Inc., its Attorney in Fact\*

\*For Power of Attorney please refer to Book 8816, Page 457 in the Hillsborough County Registry of Deeds

By: [Signature] 2/13/17

Name: William Randolph

Title: Document Management Specialist

STATE OF Oregon  
COUNTY OF Washington

In Beaverton OR, on this 13 day of Feb, 2016, before me personally appeared William Randolph, as Document Management Specialist of Seterus, Inc., as attorney-in-fact for Federal National Mortgage Association, to me known and known by me to be the party executing the foregoing instrument, and he/she acknowledged said instrument by him/her executed to be his/her free act and deed in such capacity, and the free act and deed of Seterus, Inc., as attorney-in-fact for Federal National Mortgage Association.

From: Matt LaFleur MLaFleur@getevolved.com  
Subject: opinion  
Date: Feb 17, 2021 at 6:03:50 PM  
To: Roger Personal rc91@comcast.net

---

In my professional opinion, approving a variance request for the additional square footage (in the already approved Accessory Dwelling Unit) for 11 ST Laurent Drive will not impact property values of the surrounding homes. The existence of a current ADU, and certificate of occupancy, shows the dedication of the homeowner to provide safe and sound housing. Further, the skyrocketing home values in Hudson are making it difficult for people to remain lifelong citizens of Hudson. Lastly, a variance would serve the community to provide substantial housing units as an alternative to purchasing.

Respectfully,

**Matthew D. LaFleur**  
978-551-2662 Cell

**Evolve Bank and Trust**  
Loan Officer NMLS# 30261

*471 Southbridge Street  
Auburn, MA, 01501  
508-721-2200 Office  
603-218-6258 Fax*



**EVOLVE**  
*bank & trust*



From: Roger Personal rc91@comcast.net  
Subject: Re: Professional opinion  
Date: Feb 19, 2021 at 11:09:42 AM  
To: Carol Griffin carolrealtornh@gmail.com

---

Thank you

Sent from my iPhone

On Feb 19, 2021, at 11:05 AM, Carol Griffin <[carolrealtornh@gmail.com](mailto:carolrealtornh@gmail.com)> wrote:

I'm sorry ROger, I saw this then got distracted.

In my professional opinion approving the Variance request for additional square footage in the currently approved Accessory Dwelling Unit located at 11 ST Laurent Drive Hudson NH will not impact surrounding homes property values. The existence of the current ADU and certificate of occupancy shows the dedication of the homeowner to provide safe and sound housing. Furthermore, the skyrocketing home values in Hudson NH is making it difficult for people to remain lifelong citizens in Hudson which is evidence that a Variance would serve the community well by providing a stable rental option. Good luck.. if you need me, I would be happy to help any way I can.

Printed  
3/10/2021  
1:37PM  
Created  
3/10/2021  
1:34 PM

# Transaction Receipt

**Town of Hudson, NH**  
12 School Street  
Hudson, NH 03051-4249

Receipt# 632,752  
tgoodwyn

<u>Description</u>		<u>Current Invoice</u>	<u>Payment</u>	<u>Balance Due</u>	
1.00	Zoning Application 11 St Laurent Dr. Map/Lot 129-094-000 Variance Application	0.00	162.3500		0.00
			Total:		162.35
<u>Remitter</u>	<u>Pay Type</u>	<u>Reference</u>	<u>Tendered</u>	<u>Change</u>	<u>Net Paid</u>
Roger A Chopelas	CHECK	CHECK # 103	162.35	0.00	162.35
			Total Due:		162.35
			Total Tendered:		162.35
			Total Change:		0.00
			Net Paid:		162.35

ROGER A CHOPELAS  
11 SAINT LAURENT DR  
HUDSON, NH 03051  
DBA 70 MAPLE

103

53-9182/2113

3-9-2021

Date

CHECK ARMOR  
TRADE PROTECTION

Pay to the Order of Town of Hudson \$ 162.35  
One hundred Sixty two and 35/100 Dollars

Photo Safe Deposit®  
Data on back

**DCU** Digital Federal  
Credit Union  
www.dcu.org

For Vanue

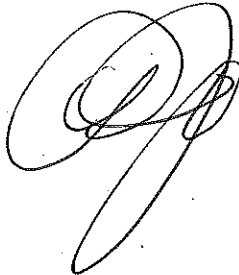
Roger Chopelas

RP

RECEIVED

MAR 09 2021

HUDSON FIRE DEPARTMENT  
INSPECTIONAL SERVICES DIVISION





# TOWN OF HUDSON

## Zoning Board of Adjustment

Gary M. Daddario, Chairman

Marilyn E. McGrath, Selectmen Liaison

12 School Street • Hudson, New Hampshire 03051 • Tel: 603-886-6008 • Fax: 603-594-1142

### MEETING MINUTES – February 25, 2021 – as edited

#### I. CALL TO ORDER

Chairman Gary Daddario called the meeting to order at 7:05 PM, welcomed everyone and read the COVID-19 meeting procedure that in conformance with the NH State of Emergency Order #12 confirmed the following: (a) providing public access to meeting by telephone and video access; (b) provided public notice on how to access the meeting; (c) mechanism to advise if there is a problem with accessing meeting and (d) should there be an issue with accessibility, the meeting will need to be adjourned and rescheduled; and (e) that voting would be by roll call vote. Mr. Daddario stated that the Board would go into recess so that the public could call in their questions or concerns during public testimony and added that if anyone cannot gain access, that the meeting would need to be adjourned. Mr. Daddario noted that specific instructions for meeting access was included in both the Applicant Notification and the Abutter Notification and were posted on the website.

Mr. Buttrick read the Preamble into the record, identified as Attachment A of the Board’s Bylaws, which included the procedure and process for the meeting, and the importance of the 30-day time period for appeal.

Mr. Daddario invited everyone to stand for the Pledge of Allegiance and asked everyone to sign the contact meeting form for Covid tracking purposes.

Clerk Etienne took attendance. Members present were Gary Daddario (Regular/Chair), Brian Etienne (Regular/Clerk), Leo Fauvel (Regular), Ethan Severance (Alternate and remote), and Jim Pacocha (Regular). Also present were Bruce Buttrick, Zoning Administrator, Louise Knee, Recorder (via remote access) and Kara Roy, Interim Selectman Liaison. Excused was Marilyn McGrath, Selectman Liaison. For the record, Alternate Severance was seated as a Voting Member.

#### II. OLD BUSINESS:

1. **Case 157-001 (02-25-21) (continued from 01-28-21):** Andrea Mastrangelo, **56A Ledge Rd., Hudson, NH** requests a Home Occupation Special Exception to operate a home hair salon color studio business in the basement area of the primary residence. [Map 157, Lot 001-000; Zoned Residential-Two (R-2); HZO Article VI, Special Exceptions, §334-24, Home Occupations].



45 Mr. Buttrick read the Case into the record, provided a recap of the original  
46 continuation and noted that a Public Hearing could not have been held last month  
47 due to incomplete abutter notification and advised that even with recent email follow-  
48 up with the Applicant, a septic design plan has not been submitted to the Town for  
49 review.

50  
51 Mr. Daddario asked if the Applicant was present. Ms. Mastrangelo was not present at  
52 the meeting and Mr. Buttrick checked and confirmed that she was not remotely  
53 connected, via phone or online. Mr. Daddario stated that it appears the application  
54 has been abandoned. Mr. Buttrick stated that a withdrawal should identify whether it  
55 is accepted “with prejudice” and “without prejudice”.

56  
57 Mr. Etienne made the motion to accept the withdrawal of the application without  
58 prejudice. Mr. Pacocha seconded the motion. Roll call vote was 5:0.

59  
60

### 61 **III. PUBLIC HEARING OF SCHEDULED APPLICATIONS BEFORE THE BOARD:**

62  
63 1. **Case 259-011 (02-25-21):** American Towers LLC and T-Mobile Northeast LLC  
64 represented by Daniel D. Klasnick, Esq. of Duval & Klasnick LLC, P.O. Box 254,  
65 Boxford, MA requests a Special Exception for **143 Dracut Rd., Hudson, NH** to allow a  
66 proposed 155 ft. tall camouflaged wireless telecommunications tower and facility as a  
67 mixed use on a single lot that includes a residential use. This proposal is considered a  
68 Development of Regional Impact per RSA 36:57 IV, and RSA 12-K:7 Regional  
69 Notification. [Map 259, Lot 011-000; Split Zoned General-One (G-1) & Residential-Two  
70 (R-2); HZO Article III, General Regulations, §334-10.D, Mixed or dual use on a lot, and  
71 Article V, Permitted Uses, §334-21, Table of Permitted Principal Uses].

72  
73 Mr. Buttrick read the Case into the record. Mr. Etienne recused himself as he is an  
74 employee of one of the Applicants and left the Board table. Mr. Buttrick referenced his  
75 Staff Report signed 2/17/2021, noted that the eleven point eight (11.8) acre parcel is  
76 split zoned with the smaller residential zone in the front section along Dracut Road  
77 with an existing single family house and several commercial out-buildings previously  
78 permitted by Variance in larger rear portion of the lot and advised that: (1) Article III,  
79 General Regulations, §334-10.D, Mixed or dual use on a lot, does not apply because  
80 §334-95 Siting Standards, states that a “different existing use or an existing structure  
81 on the same lot shall not preclude that installation of a commercial wireless  
82 telecommunication facility”; and (2) that Site Plan Review (SPR) and a Conditional Use  
83 Permit (CUP) from the Planning Board are also required.

84  
85 Atty. Daniel Klasnick representing the Applicants was connected remotely and  
86 inquired about the Voting Members with Mr. Etienne recused. Chair Daddario  
87 responded that there would be only four (4) Members voting on the Case and added  
88 that there are no other Members on the Board, Alternates or Regular, and unless a  
89 vacant position is filled, there would be only four (4) Voting Members next month.  
90 Atty. Klasnick introduced Ryan Monte de Ramos, RF Engineer from T-Mobile, and  
91 Scott Wirgoun Engineer from American Towers who were both connected remotely and  
92 available to answer questions. Atty. Klasnick stated that they have prepared and  
93 submitted their SPR and CUP applications to the Planning Board.

94 Atty. Klasnick presented a Power Point presentation and the information shared  
95 included:

- 96
- 97 • Site plan of the 11.8 acre lot showing the Zone line, the residence and  
98 commercial buildings, the proposed 50' x 50' lease area for the tower and base  
99 which will house the equipment cabinet and be protected by a 6' high chain link  
100 fence and the gravel way, 12' wide and 120' long, from the tower base to  
101 existing driveway with its access to Dracut Road, an arterial road
  - 102 • Aerial view showing that the proposed tower location in the already cleared area  
103 at the tree edge
  - 104 • Proposal is for a 155' tall monopole tower camouflaged as a pine tree, capable to  
105 house four (4) providers, T-Mobile plus three (3) others
  - 106 • T-Mobile intends to have nine (9) panel antenna and one (1) dish antenna at the  
107 150' mark and anticipates one monthly maintenance trip to the site
  - 108 • Utilities will be underground
  - 109 • Engineer stamped structural letter by Michael Plahovinsak dated 12/29/2020
  - 110 • Real Estate Market Study by Mark Correnti, SRA dated 12/1/2020 attesting no  
111 diminution in surrounding property values
  - 112 • T-Mobile Radio Frequency Report and pictures of coverage areas, pre & post
  - 113 • Balloon test performed 11/5/2020 – only visible around Dracut Road and  
114 Sherburne Road – not visible from Ponderosa Drive, Long Pond Road, Norris  
115 Road, Beverlee Road, Sagewood Drive, Anna Louise Drive, Robert Road, Spring  
116 Street, Spaulding Hill Road, Parham Road, Wilson Drive, Crestwood Drive,  
117 Summer Street, Slavin Drive, Gowing Road and Schaefer Circle
  - 118 • Pictures of balloon taken from Dracut Road and Sherburne Road and with  
119 tower superimposed at balloon siting
- 120

121 Mr. Daddario asked Atty. Klasnick to address the five (5) criteria for the granting of a  
122 Special Exception (S/E). Atty. Klasnick referenced his brief and noted that the S/E  
123 criteria were addressed on pages 4-6. In brief, the information included:

- 124 (1) Use is permitted in the G-1 Zone by Special Exception
- 125 (2) Use meets Ordinance requirements regarding location, height, site and fall  
126 zone radius and applications for Site Plan Review and Conditional Use  
127 Permit have been submitted with the Planning Board
- 128 (3) Proposed use is consistent with the purpose and intent of the Zone, subject  
129 to S/E, SPR and CUP
- 130 (4) Use is compatible with the character of the neighborhood with limited  
131 visibility due to natural growth and dense vegetation and tower camouflaged  
132 to look like a pine tree
- 133 (5) Access to be via extension of existing driveway from Dracut Road, an arterial  
134 road.
- 135

136 At 7:46 PM, Mr. Daddario declared a five-minute recess for public to call-in or connect  
137 remotely before opening the meeting for public testimony. At 7:52 PM Mr. Daddario  
138 called the meeting back to order

139

140 At 7:53 PM, Public testimony opened. Mr. Daddario asked Mr. Buttrick to read the  
141 emails received:

- 142 (1) Nancy & Kirk Hauman, 2 Norris Road, asked three (3) questions: (a) if  
143 approved, what is the time frame from start to finish: (b) why is a cell tower  
144 needed because according to coverage map Pelham and Dracut need it more;  
145 & (c) why weren't Norris Road in MA notified of project. Mr. Buttrick stated  
146 that he addressed the notification question, confirmed that notification  
147 complied with the Laws and added that courtesy notices were sent and it  
148 was posted in the Union Leader and the Lowell sun.
- 149 (2) Danielle Robichaud, 126 Norris Road, Tyngsboro, MA, expressed three (3)  
150 concerns: a(a) health concern for radiation and impact on her children's long  
151 term well being; (b) decrease in her property value; and (c) animal  
152 displacement and impact on ecosystem
- 153 (3) Justin Moreau, 1 Norris Road, Hudson, NH and 132 Norris Road,  
154 Tyngsboro, MA, expressed concerns for having a cell tower literally above his  
155 head and the long term well being for his young children  
156

157 Mr. Daddario asked the Applicant to respond to the emails before continuing with  
158 public testimony. Atty. Klasnick stated that the estimated time frame to construct the  
159 tower is approximately three (3) months; T-Mobile signed an affidavit for the location  
160 and coverage map noting a significant gap in coverage and capacity; FCC has  
161 jurisdiction on RF emissions and has standards and referred to the study in the  
162 package noting that 2.64% of 100% of allowed exposure; referenced the Real Estate  
163 study provided from a Broker attesting to no impact to property values from visibility;  
164 and with regard to wildlife there was a detailed checklist and there was no impact, the  
165 area is already cleared, there will be minimal grading and little disturbance.  
166

167 Mr. Daddario asked Mr. Buttrick to queue in the callers:  
168

- 169 (1) Nancy & Kirk Hauman, 2 and 130 Norris Road, addressed the Board. Mr.  
170 Hauman noted that there were no pictures shown from Norris Road on the  
171 balloon test visibility. Atty. Klasnick responded that the balloon was flown  
172 to the height of the proposed tower and pictures were taken from public  
173 access ways, because they don't have access to private property, in a one-  
174 mile radius for its visibility and the balloon was not visible from Norris Road.  
175 Mrs. Hauman questioned the location for the proposed tower as it is near an  
176 area where three (3) structures exist. Atty. Klasnick stated that the area  
177 selected is level and would require minor grading and be accessible from the  
178 existing driveway from Dracut Road. Scott Wirgaun, Engineer from  
179 American Towers, added that the three (3) buildings are five to six feet (5'-6')  
180 higher in elevation ~~than~~ the base of the proposed tower. Mr. and Mrs.  
181 Hauman opposed to the project.
- 182 (2) Kimberly & Justin Moreau, 1 Norris Road, Hudson, NH and 132 Norris  
183 Road, Tyngsboro, MA, addressed the Board. Mr. Moreau thanked the ZBA  
184 and expressed concern that they were not notified of the project, that there  
185 is new construction at 151 & 153 Dracut Road and their concerns should  
186 also be heard, that this project is dangerous and they are opposed to it. Mr.  
187 Buttrick stated that it is the Applicant's responsibility to provide a list of  
188 Abutters, not the Town. Atty. Klasnick responded that he did double check  
189 the list and that there is one (1) property in between so the Hauman's are

190 not direct Abutters and added that the point is moot because of their  
191 attendance at the meeting. With regard to the project being dangerous, att  
192 Klasnick referred to the special report provided from Dr. Hayes that it  
193 complies with FCC and added that the proposed tower is a monopole  
194 capable of accommodating four (4) carriers.

195 (3) Eugenios Arfanakis Reginas ~~Asxx~~, 133 Norris Road, Tyngsboro, MA & 221  
196 Fox Hollow Drive, Hudson, NH stated that he is opposed to the project, that  
197 he has children and is concerned for their well being as well as for the  
198 surrounding wildlife and the impact from radiation, and that he has been a  
199 Real Estate broker for fifteen (15) years and properties near power lines and  
200 cell towers are negatively impacted. Atty. Klasnick stated that all three (3)  
201 concerns have been addressed and referenced their studies that this project  
202 falls within RF standards, their detailed review from a Broker who testified  
203 that there is no negative impact to property values and their wildlife studies  
204 that complies.

205  
206 With no other callers, Mr. Daddario opened in-house public testimony at 8:30 PM.

207  
208 (1) Jeff & Cheryl Zduniak, 135 Dracut Road, stated that they are opposed to the  
209 project, that they will have direct visibility of the tower, that there is an 11.8  
210 acre lot and decided to place the tower close to the residences and not on  
211 the backside of the property and noted that the lot once had a pond and  
212 wetlands, that they have health concerns, that 5G tech is unproven, that  
213 recent EPA studies show an increase in owl population that could be  
214 undermined with this cell tower, that Hudson coverage may be weak but  
215 coverage in Pelham, Windham and Dracut is very poor and the tower should  
216 be placed there, this is not a Hudson problem, and lastly, they were never  
217 notified of the other tower that got approved and abandoned. Atty. Klasnick  
218 stated that the location for the tower is in the G-1 Zone of the property  
219 which is an allowed Use with a Special Exception and the prior location was  
220 abandoned as it was unsuitable primarily due to wetlands and access from  
221 Dracut Road.

222  
223 Being no one else to speak, Mr. Daddario closed the public testimony at 8:56 PM.

224  
225 Mr. Fauvel stated that he has concerns with the weight of the base to the tower and  
226 noted that when the tower is to be installed that frost can affect the stability of the  
227 land. Atty. Klasnick stated that there is a stamped PE letter attesting that the tower  
228 design is structurally sound. Mr. Wirgaun Engineer from American Towers, stated  
229 that they did a geotech soil report for the specific site and noted that the depth of the  
230 foundation would be below the frost line, ten feet (10') into the ground with a 4' x 33'  
231 x 33' mat on the surface.

232  
233 Mr. Severance stated that he heard the health concerns expressed but they are not  
234 part of ZBA review and added that it appears the Residential section was arbitrarily  
235 selected at seven hundred feet (700') from Dracut Road.

236



237 Mr. Daddario stated that he too heard the concerns, noted that there would be other  
238 hearings with the Planning Board and encouraged public attendance and stated that  
239 there are only five (5) criteria that the Zoning Board gets to review for the granting of a  
240 Special Exception. Mr. Daddario stated the criteria and his opinion:  
241

242 Criteria 1: Use requested is permitted by Special Exception – yes, per Table of  
243 Permitted Uses

244 Criteria 2: Proposed use meets applicable requirements – location met

245 Criteria 3: Proposed use is consistent with the purpose of the Zone – tower is to  
246 be located in the G-1 Zone of the property

247 Criteria 4: Proposed use is compatible with character of neighborhood –  
248 probably most challenging but use is compatible as cell phone usage is commonplace,  
249 the location is close to a wooded area and will be camouflaged as a pine tree

250 Criteria 5: Primary access must be from arterial or collector roads – access will  
251 be via driveway from Dracut Road, which is an arterial road.  
252

253 Mr. Pacocha made the motion to grant the Special Exception as the criteria have been  
254 satisfied. Mr. Fauvel seconded the motion for the same reason and added that the  
255 area selected is also the highest area on Dracut Road. Roll call vote was 4:0. Special  
256 Exception granted. Atty. Klasnick thanked the Board.  
257

258 Board took a five-minute break at 9:14 PM. Meeting resumed at 9:19 PM  
259

260 2. **Case 199-023 (02-25-21):** Marc & Gail Mousseau, **75 Pelham Rd., Hudson,**  
261 **NH** [Map 199, Lot 023-000; Zoned General (G)] requests the following:  
262

263 a. An **Equitable Waiver of Dimensional Requirement** per RSA 674:33-a: due to the  
264 location of an existing garage, which encroaches eleven (11) feet into the front yard  
265 setback leaving 39 feet where 50 feet is required as shown on the Certified Plot  
266 Plan dated November 18, 2020. [HZO Article VII, Dimensional Requirements, §334-  
267 27, Table of Minimum Dimensional Requirements.]  
268

269 Mr. Buttrick read the request into the record and referenced his Staff Report signed  
270 2/17/2021 and noted that the existing 36' x 30' garage with game room received a  
271 Building Permit in 2001 based upon a Plan that showed the fifty-foot (50') front  
272 setback was to be met. Mr. Buttrick stated that if there had been a nuisance, there  
273 would have been some Code Enforcement activity, but there is no record of such, and  
274 added that the Town issued a Permit and in effect could be considered estoppel  
275

276 Marc Mousseau connected with the Board over the telephone and shared the following  
277 information: the garage was built in 2001 by Permit; the garage does not impede on  
278 the roadway, has not been a problem for twenty (20) years and does not pose a  
279 nuisance; the cost to correct is not feasible and noted that there are other buildings on  
280 Pelham Road that are closer to the road.  
281

282 Public testimony opened at 9:29 PM. No one was present to address the Board. There  
283 were no calls waiting in queue. The Board went into recess for the public to call in.  
284 No one called.

285  
286 Mr. Fauvel made the motion to grant the Equitable Waiver. Mr. Etienne seconded the  
287 motion. Mr. Fauvel stated that the garage has existed more than ten (10) years and  
288 that its placement was an honest mistake. Mr. Etienne agreed and added that the  
289 Town failed to notice the setback on final inspection. Roll call vote was 5:0

290  
291  
292 **b. A Variance** to construct a 2 ft. x 12 ft. roof/garage door overhang which  
293 encroaches eight (8) feet into the front yard setback leaving 42 feet where 50 feet is  
294 required. [HZO Article VIII, Nonconforming Uses, Structures and Lots, §334-31,  
295 Alteration and expansion of nonconforming structures and HZO Article VII,  
296 Dimensional Requirements, §334-27, Table of Minimum Dimensional  
297 Requirements.]  
298

299 Mr. Buttrick read the request into the record and referenced his Staff Report signed  
300 2/17/2021 and noted that a Variance is needed for part of the overhang roof because  
301 part of the garage infringes into the setback.  
302

303 Marc Mousseau connected with the Board over the telephone and stated that he wants  
304 to add a porch roof that actually encroaches into his front yard and added that it will  
305 increase his property value and noted that there is no change in Use, it remains a two-  
306 car garage with a recreation room. When asked to address the criteria for the granting  
307 of a Variance, Mr. Mousseau shared the following information: (1) there would be no  
308 negative effect on the neighborhood and not injure public rights; (2) there would be no  
309 impact to the neighborhood; (3) justice would be done allowing him to invest/improve  
310 his property; (4) there would be no change in appearance and would not diminish  
311 property values; (5) there would be no change to the density in the neighborhood and  
312 would be an unnecessary hardship not to allow him to improve his property.  
313

314 Public testimony opened at 9:49 PM. No one was present. Board recessed to allow  
315 public to call in. At 9:54 Mr. Buttrick reported that no calls were received.  
316

317 Motion made by Mr. Pacocha and seconded by Mr. Fauvel to grant the requested  
318 Variance. Mr. Pacocha stated that it is not contrary with public interest, the proposed  
319 roof overhang does not exceed the violation of the existing setback violation, it  
320 observes the Spirit of the Ordinance, there is no harm to the public and hardship is  
321 that the building is already partially in the setback and there would be no further  
322 encroachment. Mr. Fauvel agreed, the 2' x 12' overhang won't infringe more and there  
323 is no adverse affect. Mr. Daddario stated that the five (5) criteria have been satisfied  
324 as the request only applies to the overhang and presents no safety issues, no change  
325 in character to the neighborhood, no harm to the public and improves the aesthetics  
326 of the property and that the hardship is satisfied because the structure already exists  
327 and was constructed with a Building Permit. Roll call vote was 4:1. Mr. Etienne  
328 opposed based on historical precedent.  
329

330 Mr. Buttrick advised Mr. Mousseau that based on this vote, the Town would issue the  
331 Building Permit but any construction within the 30-day appeal period would be at his

332 own risk. Mr. Mousseau stated that he will wait for the 30-day appeal period to pass  
333 and thanked the Board.

334  
335 **IV. REQUEST FOR REHEARING:**

336 No requests were received for Board consideration.  
337  
338

339 **V. REVIEW OF MINUTES:**

340  
341 01/28/21 edited Minutes – Motion made by Mr. Etienne and seconded by Mr. Pacocha  
342 to accept the 1/28/2021 Minutes as edited and presented. Roll call vote was 5:0  
343

344 **VI. OTHER:**

345  
346 1. Distribution of January 28, 2021 Amended ZBA Bylaws  
347

348 Board reviewed the edits made to Pages 5, 9 & 10. Discrepancy noted in the Order of  
349 Business. Mr. Etienne stated that the seating of Alternates to vote should be part of  
350 the Bylaws. Mr. Buttrick asked to incorporate both.  
351

352 2. Home Occupation Special Exception Application- Discussion for proposed draft  
353 amendment on retail sales.

354  
355 Board reviewed the addition of No Retail Sales on Site. Mr. Daddario suggested  
356 adding the word “wholesale” into the first sentence on the Application Form.  
357

358 Discrepancy also noted on the Equitable Waiver Application Form. Mr. ~~buttrick~~  
359 Buttrick asked to add the missing criteria to the Form.  
360

361 Motion made by Mr. Pacocha and seconded by Mr. Etienne to adjourn the meeting.  
362 Roll call vote was 5:0. The 2/25/2021 ZBA meeting adjourned at 10:12 PM.  
363

364 Respectfully submitted,

365  
366 Louise Knee, Recorder